App. F. IX-4

1935.
(Legis)

File No. 46-35

Previous References
RAK 81-28-546
R.M. 529-45-46

Serial Nos. 1,610.

Letter References.
R.T. 6-38-3
R.T. 20-39-(32,33)
R.T. 3-39-(27,28)
R.T 7-40-(10,11)
R.T 1-41-(34,35)

PRESERVED

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 3

Part B for March 36

SUBJECT.

Rules for exemption from [illegible]

No P 5819-29 dy 3 nd Feby 1936.

W.D. 3607—Q.B.P.—27,500—2-8-35

To The Compiler, Imps Gar
" Rev commr
" Dy Commrs Dists
" Complete Ho Govt
" Defines the term "Bonafide" [illegible]
Bullock Carts

[illegible] 3/2/1936

Road Traffic and Taxes Regulation:- Tolls.

General and Revenue Secretariat | File No. of 193 | [App. F. III—2

Serial No.

Re: Tolls.

Rules for exemption from :—

1. The Road Traffic and Taxes Regulation takes away the powers of the District Boards to establish toll-gates and levy tolls. From the date this Regulation comes into force, all toll-gates, provincial and District Board, become Government toll-gates.

2. At present, the rules at District Fund and provincial toll-gates differ in the following respects:-

(i) At a District Fund toll-gate, a vehicle which pays tolls is exempt from the payment of further tolls at the same gate within a period of 24 hours, counted from sun-rise to sunrise. At the provincial toll-gates the period of exemption is 24 hours from the time of payment of the toll and not from sunrise to sunrise.

In this case, a uniform rule may be adopted. The rule now in force at the State Fund toll-gates viz., exemption for 24 hours may be made applicable to all toll-gates.

(ii) At all interior State Fund Toll-gates, agricultural carts are exempt from tolls except when carrying timber. This rule is in force also at the District Fund toll-gates of all Districts except those of Hassan, Kadur and Chitaldrug. The Government have agreed in the Assembly to continue the existing exemptions in regard to agricultural carts. The question now is,

NOTE.—Contn. Sheet.

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P.t.o.

File No. of 193 . General and Revenue Secretariat

whether the exemption should be extended to carts at the District Fund toll-gates of the three Districts referred to above which now levy tolls on them.

3) As the Government have agreed to continue the existing exemptions, it is open to them to continue to levy toll on agricultural carts at the District Board toll-gates of the three Districts. This procedure may give rise to complaints that undue descrimination is being made by the Government in the case of three Districts and that concession given to agriculturists in other districts is being denied to them. Besides, there will not be a uniformity in rules and one of the main objects of the new system is to secure uniformity.

4. If, on the other hand, exemption is granted to these carts there will be some loss of revenue. The Government will not only have to forego the revenue now being derived but will have to compensate the three District Boards for the next three years on the average of the three previous years' earnings from tolls on these carts. Figures are not available to show what the revenue from tolls on carts at present in these three districts is. It is however probable that the amount is appreciably large.

5. It is the policy of the Government to exempt bona-fide agricultural carts at interior gates from tolls. In view of this and also in view of the necessity for uniform rules, the exemption

Serial No.

from tolls to agricultural carts may be extended to the District Board toll-gates at the three Districts also.

(iii) No second toll is payable on any vehicle at a District Board toll-gate if within a period of 24 hours from sunrise to sunrise the vehicle has paid tolls at another District Fund toll-gate ~~of~~ the same District. No such rule applies to State Fund tolls. With the taking over of the District Board toll-gates this rule of District Board toll-gates may be cancelled.

(iv) Heads of ~~kids~~ mulls who hold a Rahadari issued by a competent authority are exempt from tolls at provincial toll-gates and not at District Board toll-gates. They may be given uniform exemption at all toll-gates with the taking over of the District Board toll-gates.

6) The Todhunter Committee recommended that rules relating to exemption from tolls should be "drastically revised". They were of the opinion that it was "economically unsound to exempt from tolls goods belonging to a Commercial Department of the Government" According to existing rules, no toll is leviable on any vehicles belonging to the Government or carrying bona-fide Government property.

7) It is for orders if this exemption may be modified so as not to apply to Commercial Government Departments such as, Forests, Electrical Department,

WD 03594—GPB—30,000—18-7-38

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Railways, Industrial Concerns etc.

8) I submit that tolls may be levied on vehicles belonging to Commercial Departments. The Railway Department is, for instance, to pay all taxes for buses etc. ~~they~~ it may run.

9) The Committee also recommended that vehicles belonging to "Members of the Traffic Staff of the Board and the Presidents of District Boards may be exempted from tolls (the latter, while touring within their Districts). It is for orders if these may be included under the -- exemptions.

10) If exemption is granted to Presidents of District Boards, it should, I think, be granted to District Magistrates within their Districts also.

11) The following points are for orders:-

(1) A uniform rule exempting a vehicle from a second toll within a period of 24 hours may be made applicable at all toll-gates.

(2) Agricultural carts at the interior District Board toll-gates of Hasean, Kadur and Chitaldrug which are now subject to tolls may be exempted from tolls.

(3) The rule exempting vehicles from payment of toll at a District Board gate, if it has paid within 24 hours a toll at another toll-gate ~~in~~ the DB in the same District may be abolished.

2525 of 35
P
(5)

General and Revenue Secretariat | File No. | of 193 . | [App. F. III—2

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(4) Exemption at all toll-gates may be granted to heads of ~~mills~~ malls holding Rahadari.

(5) The exemption now granted to Commercial Departments of Government such as, Forests, Railways, Electrical, Industrial etc., may be discontinued.

(6) For orders if Presidents of District Boards and District Magistrates may be exempted from payment of tolls.

12) Revised rules will be submitted for approval on orders being passed on the above.

First Member) HSP 24/10/35

(13) I do like to have the opinion of the Chief Secy, as it is a matter of some importance Each, HQ 29/10

Chief Secretary) HSP 29/10/35

(14) Secy with reference to personal discussion instructions yesterday.

(15) Items 1, 2 & 3 above may be approved.

Item 4 settles itself as St. Bd Toll gates rules will be inoperative from 1st June 1936, since Sec 66 & Sch III of the Bengal St Bd Regn stand repealed from that date

OFFICE OF THE
2 4 OCT. 1935
No. 2525

NOTE.—Contn. Sheet.

WD 03594—GPB—30,000—18-7-35

67

2525

Road Traffic & Taxes Regulation.

Tolls.

File No. of 193

General and Revenue Secretariat

The Mysore Road Traffic & Taxes Regn as it of 1935 - Comes into force i.e. 1-1-36 (vide notfn separately published) & Sch I of the Mysore R.T. & T. Regn

Item 5. The exemptions in respect of Govt vehicles may continue as at present.

16) The exemption proposed in item 6** in favour of Chiefs of Dists & Dt Magistrates need not be approved, as it is not desirable to extend the list of exemptions (Enclosure)

Dy 31.10.35

Received in the Office of the FIRST ASSISTANT SECRETARY 1 OCT 1935 No 27498

H.R 31/10

17) I agree with the Chief Secy

S/10/11

Dy 2/11 1/11

18) Rules revised in accordance with orders above are resubmitted herewith. These rules are with slight verbal alteration the same as those in force at present except in regard to the following:-

** (1) Exemptions:- Rule no 9

The list of exemptions has been revised in accordance with orders above and provides for less no exemptions

Dft for approval I

L

Serial No.

F

and & the Regulation.

19) A point for decision in this connection is whether the rule exempting agricultural bullock carts from tolls at interior toll-gates is to apply also to ad. hoc toll-gates on new bridges etc. At present, of the 4 such toll-gates (vide Schedule V of the Regulation), one is the special toll-gate on the Dam at Krishnarajasagar, at which no exemptions are granted. The one at Gorur is a Dist. Board gate at which exemption is not granted to agricultural carts; two others are Dist. Board gates of the Dist. Board and information is not available if any exemptions are granted at these gates.

20) These ad. hoc tolls are different in character from ordinary toll-gates. The former are established with the object of recouping the Capital Sum on

WD 03594—GPB—30,000—18-7-35

8)

the bridge or the road. It is a special facility created and the exemptions should be very few. In views of Rev. J. Gabriel Wall at Queen's Reese toll falls (2) are in the interior but bullock carts need not be exempted from tolls.

(ii) Rules for the general composition of tolls in respect of motor vehicles.

This is in accordance with Sect. 20 of the Regulation. These rules are for approval.

(iii) Rates for composition of tolls at a single toll bar.

This is according to Sect. 21 of the Regulation. These rules have already been approved by the 1st Member in another file.

(21) (iv) Exemption in favour of Officials of the Tr. Bd as provided for. This may be app^d. In addition to the rules a revised form of notification for the sale of the right of collecting tolls is submitted. The in the draft

Draft for approval II

Serial No.

form are incorporated changes consequent on the change in rules and some new provisions of a minor character, such as the power to the Traffic Board to prescribe standard forms of toll receipts, uniforms for toll gate staffetc. The additions and alterations in the existing form are indicated in the draft copy.

22) The rules require previous publication.

23) The draft rules and ~~application~~ forms of notification are recommended for favourable of approval

First Member. Railway Board
General Secretary

2/11

5/11

24)

9/11

25) For screening of the draft rules and office form of notification

Asst. Secy Laws in its capacity

OFFICE OF THE FIRST MEMBER OF COUNCIL 6 NOV. 1935 Nr 2934

NOTE—Contn Sheet.

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(c)

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26) A rule enabling govt to sell the right to levy tolls by public auction is necessary since sec 14 does not provide for this explicitly as in para 6 of the old chief comrs rules. The exemptions that are now included in the rules under sec 14 may perhaps be the subject matter of a notification under sec 22. | A

27) In other respects the rules are all right & may issue | B.

Spl officer) 8/4

28) Revised draft rules making provision for as at A are submitted

29) I agree with the views as at B. The exemptions will be issued under a separate notification

For approval

Genl Secretary) 8/11

9/11

30) For perusal before issue.

9/11

First Member) 31) I don't think it necessary. Rule 1 is simplified to include it

9/11

GENERAL SECRT. 9 NOV 74

Serial No.	
32)	Put up draft notification for first publication of these rules stating that it will be liable to consideration before 22nd inst. This must issue on Monday for publication in the Gazette of the 14th 9/11
33)	Draft notification put up and approved and issued as per orders.
1	Issued no. P. 3154 of 11.11.35 to the Compiler Supplement Gaz for publication in the Gaz of 14.11.35 12/11
(34)	Draft notification, notifying exemptions from tolls is submitted. This formed part of the original set of rules re. the levy of tolls. As it was not considered necessary to publish these rules, this portion was deleted from those rules.

published at page 405 of part-IV of supp Gaz of 14.11.35

WD 03594—GPB—30,000—13-7-35

12

Levy of Tolls & Exemption from Tolls at Tollgate established on State Trunk & WC Trunk Roads & Bridges. 2525

File No. ——— of 193

General and Revenue Secretariat

35) The last of exemptions dealt with revised together with Orders & notifications is submitted for approval

Genl Secretary) VAR 12/11

36) Quo 157 VAR 15/11

Asst Member)

37) JJR 16/11

Quo 16/11

pnl 16/11

38) Issue necessary for publication in Govt Gazette.

VAR 18/11

Issued vide p 3317 dt 19.11.35. To the Compiler Mys Gaz for publication 6

Letter no nil dt 16.4.35 from Mr A.L. Hill of Biccor Estate forwarding his suggestions re. the Rules for the levy of Tolls.

Submitted for orders.

21.11.35

39) Put up alongwith other connected papers

VAR 21/11/

ETC. BRANCH 13 NOV. 1935 1021

16 NOV. 1935 3322

Received at 5.25 P.M. 16/11/35

published on page 421 part IV of mys Gaz dt 21.11.35

No further objections have been received from any quarter or person.

3/12/11

Serial No.

40) Suggestions on the draft rules published, have so far been received only from one person, viz., Mr. Hill of Biccode Estate. His suggestions are as follows:-

(i) Rule 3 of the draft Rules:- For "proper receipt" he suggests the words "~~proper~~ proper receipt on a printed form". ~~This may be accepted.~~ We may not be prescribed a receipt in the prescribed form.

(ii) Re: Rules for general composition of tolls and composition of tolls at individual toll-gates;- Rules 14 & 19 of the draft rules state that the composition is in respect of the particular vehicles specified therein and shall not be used in respect of any other vehicle. Mr. Hill suggests that these rules should be amended so as to permit the vehicle owner to avail of this composition in respect of a new vehicle which he may acquire, in course of the year or the quarter, by "trading in" the old vehicles in part payment of the new vehicle.

This suggestion is reasonable and may be accepted. Composition of tolls is based on the unladen weight of the vehicle. If the new vehicle is to ~~pay~~ liable a higher fee, the purchaser will have to pay the difference between the composition fee for the old vehicle and that for the new one should get the license duly endorsed or changed as the case may be.

Draft rules revised accordingly are submitted

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herewith, for approval.

(ii) Mr. Hill also adds that this facility should also be extended to the owner of the bullock cart. Though this is difficult to work in practice, it may still be allowed. In this case, the owner should on the purchase of the new cart, surrender the yoke-rod of the cart on which the distinctive mark was stamped and get the mark impressed on the new one. | Q

(iii) Draft rule is submitted. (Vide Rule 25). | P.U.D

(iii) Mr. Hill wants composition at a single toll-gate to be allowed in respect of motor cars of the unladen weight of over 30 cwts. The Regulation only permits composition in respect of motor cars weighing 30 cwts. and below. This restriction was deliberately introduced by the Select Committee, as they did not consider it advisable to allow such composition for other than motor cars. This suggestion of Mr. Hill cannot be accepted, as it is against the provisions of the Regulation. | Q

(iv) Rates of Tolls:- At frontier toll-gates, carts carrying manure pay the rates as for unladen carts. Mr. Hill wants this concession to be extended to all toll-gates. Carts carrying manure are totally exempt from tolls at interior gates and no question of any concession in rate therefore arises. No change is called for.

2525/P 485 (15)

Serial No.

R

(v) Rule 15 (iii) of the draft rules prohibits the composition of tolls at a single toll-bar at ad hoc tolls to be established hereafter. Mr. Hill wants this -- restriction to be removed and says that composition at single gates was introduced to meet such cases. He is correct. The rule 15(iii) may therefore be omitted. ~~Final~~ publication of ~~the rules as now revised will~~ be ~~made in the issue of the Gazette of the 28th instant, if approved~~.

41) Apart from the above changes consequent on the suggestions of Mr. Hill, the following changes may also be made in the Draft rules:-

42) Rules common to the general composition of tolls and composition at individual toll-gates may be arranged separately under the head "general rules applicable to the composition of tolls under Section 20 and 21 of the Road Traffic and Taxes Regulation", instead of these being repeated once each time under the rules for -- general composition and Rules for individual composition, as was the case in the draft rules.

43) The draft rules ^ ^ ^ revised as above are submitted for approval. They will be published in the Gazette of the 28th instant.

P.U.D

OFFICE OF THE FIRST MEMBER 26 NOV 1935 3647

44) First Member ✓ Nuraga Genl. Secretary 26/11 25/11

45) I am not in favour of

NOTE.—Contn. Sheet.

WD 03594—GPB—30,000—13-7-35

(16) Levy of Tolls
Exemption from tolls of tollgates established on State Trunk & Dist Trunk Roads

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the Suggestion to permit the Corporation to be transferred to a new car a bullock cart - This will make the rules complicated & the costs almost unworkable The rules may issue with the change in rule 3 ~~If this step is taken~~

SJR
26/11

46) Such notification needs to Gazette abance. It must be published in the issue of the 28th ia

AHR
26/11

47) Draft notfn submd.
26.11.35

48) Secy AHR 27/11

I forward no P 3443/Legis 46-35 dt 27/11/35 to the Compiler Mysore Gaz for publication in the 28th instant of the Mysore Gaz.

AHR

published at page 547 of Part IV of Mys Gaz dt 28/11/35

(Forwarded no P 3998 dt 18.12.35 to the Compiler for publication in the 19th Gaz

published at page 629 Pt IV Gaz dt 19.12.35

49) Rules re. the form of tokens for the composition of taxes for motor vehicles the custody of which is to be

(17)

Serial No.

"He is issue by the Licensing Office, the check by the Dy Secy on the similar as to those of Secs already approved are submitted for perusal. These rules to have been published in the Gazette of Sec 19 (in Finl Member)

HR
20/12

OFFICE OF THE LEGISLATIVE JOURNAL
20 DEC. 1935
No. 1825

HR

50) JM 20/12

HR
20/12

Re: Composition of tolls at single toll-bars under Section 21 of the Road Traffic and Taxes Regulation.

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51) Section 21 of the Regulation permits composition at certain individual toll-bars of motor cycle and motor car and of outlook carts. Rules in this connection have already been issued.

52) Notification has now to be issued appointing the Officers who are to issue the licenses for the

*NOTE—Contn Sheet.

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(18) 2525 V 3050

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the composition at individual toll-gates. The following arrangements may be made:-

(1) As at present, this composition may be permitted either by the Deputy Commissioner or by the Amildars of Taluks.

(2) They may issue a written authority authorising exemption from tolls at the toll-gate.

(3) Rules relating to exemption from t-- bullock carts require a distinctive stamp to be impressed on the yoke of the cart with a stamping hammer. Stamping hammers are therefore to be issued to all the Deputy Commissioners and Amildars and this will take time. I therefore ~~propose~~ submit that a notification may be issued that this composition in respect of bullock carts at single toll-gates will come into force from the 1st of July 1936.

OFFICE OF THE FIRST MINISTER OF COUNCIL 6 JAN. 1936 No. 4716.

GENERAL SECRETARIAT 4 JAN. 1936 126

First Member for Gen. Secretary

4/1/36

4/1/36

53)

4450 p 35 (19)

General and Revenue Secretariat | File No. | of 193 . | [App. F. III—2

SECRETARIAT 3067 7.

Serial No.

D.O. Letter no C 2173/35-36 dt 15.1.36 from the Rev. Comr. re: the term "Bonafide Agricultural bullock cart" which he says has been defined and as such is bound to give rise to considerable difference in interpretation and suggests that the Standing order which was in force prior to the passing of the new Rules was clear which exempts all bullock carts (except those carrying timber) from payment of tolls.

The appeal petition of Hollgate Contractor Amirja Sab of Hosahally is also forwarded.

54) Copy for orders.

17/1/36

55) Public Assistant (Rev) Bill re. exemption from tolls in which case this question is decided

Please obtain the file full of papers leading to the issue of orders exempting bullock carts from tolls at inter-state posts issued in 1929

56) Rev. Branch W.C. for immediate necessary compliance

20/1/

20/1/36

Mr B.S.

57) The marginally noted collectors are sent up.

QM 81-28(5786)
QM. 5-29(45866)

NOTE—Contn Sheet.

18 W 08594—GPB—30,000—13-7-35

21/1/36 To the Protection Br W.C.

(20)

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Sealed with the connected file as ordered for

23/11/26

REPLY

(To be written on this margin.)

4183 of 35

(21)

OFFICE OF THE
SECOND MEMBER OF COUNCIL

NOTE

Dated 7th January 1936.

Urgent

57) The following note from the Second Member of Council (Camp Mysore) to the Special Officer (Mr. H. Rangachar) was dictated to me by phone

OFFICE OF THE
SECOND MEMBER OF COUNCIL.
7 JAN. 1936
No. M90

58) "Will you please send me to this camp copy of the Communication which I believe has been recently issued regarding the interpretation of the expression "bonafide agriculturist bullock carts" (Notification no. P. 3317 / Legis 4693S-6 dated 19.11.1935)"

M

Subd to the Spl. Office :

7/1/35

59) No communication has been issued regarding the interpretation of the expression "bona-fide agriculturist bullock carts". The file pertaining to the leading issue of the notification is sub-

4283/35
P.

(22)

Serial No.

hereunder.

Second Member

7/1/36

60) Seen and returned with thanks. When I toured in Heggadadevanakote Taluk a toll gate contractor claimed that as bona fide agricultural carts only were exempted by the new rules, he was entitled to collect toll on all non-agricultural carts, making more conveying agricultural produce for sale. The G.O of 1929 exempts all bullock carts at toll gates ~~without~~ ~~qualification~~ excepting those carrying commercial timber. The exact import of the qualifying words "bona fide agricultural" seems to require explanation.

mgo 7/1/36

10/1/36

61) For perusal. A note will be submitted.

First Member

Finance & General Secretary

16/1/36

62)

OFFICE OF THE FIRST MINISTER (FINANCE) 16 JAN. 1936 No. 5036

WD 03594—GPB—30,000—13-7-35

23)

File No. of 193

General and Revenue Secretariat

63) Re: Exemption from tolls of "bona fide Agricultural bullock carts" at interior toll-gates.

1. Under the Toll Rules issued under the Road Traffic and Taxes Regulation, "bona fide agricultural bullock carts" are exempted from tolls at interior toll-gates. Prior to this, "all bullock carts except those that carry timber for commercial purposes" were exempted from tolls at interior toll-gates on State Fund roads according to G.O. No. R.87-98/R.M. 81-28-6. of 15th June 1929. In order No. L.2026-43-LR, dated 14th September 1929, it was left to the discretion of the District Boards to grant or not similar exemptions at their interior toll-gates. Five District Boards only granted this concession. The use of the words "bona fide agricultural bullock carts" in the new rules has raised the question as to whether it is the intention of the Government to restrict the concession hitherto granted in this respect. The Revenue Commissioner and Deputy Commissioners have also asked for the exact interpretation of this expression.

2. Prior to the Government Orders referred to above, the following were the exemptions in force in regard to bullock carts:-

(i) Carts laden with manure were free at interior toll-gates and liable to tolls as for a laden cart at frontier toll-gates.

N

B

D

P.U.D I

P.V.D II

B + D

Serial No.

(ii) Carts belonging to agriculturists residing within 5 miles of a toll-gate were free of tolls when such carts carried manure, agricultural produce, seeds etc., to and from their fields.

64) There were frequent representations that these exemptions were not sufficient and that the tolls acted as a very heavy burden on the agriculturists, especially as a number of new toll-gates had been established during 1927-28. Accordingly, in the June Session of the Representative Assembly of 1929, a resolution was moved recommending the abolition of all toll-gates. The discussion however showed that the main complaint was against the levy of tolls on bullock carts of agriculturists. On the assurance of the Dewan that "country carts passing through provincial toll-gates except those that carried timber would be exempted from tolls," the resolution was withdrawn.

C

E

F

* * *

65) In his concluding Speech, the Dewan said "You have been very anxious . . . . . that agricultural bullock carts must at least be exempted from payment of tolls. Government will be pleased to accede to your request in this matter and orders will issue exempting from 1st July 1929 all country carts from the payment tolls at the newly established provincial toll-gates

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25)

except those located at bridges and the frontier. Timber carts will however be subject to levy of tolls."

66) Accordingly XXX Orders were issued exempting all country carts except those carrying timber for commercial purposes from tolls at interior toll-gates. B 2D

67) In the Dasara Session of the Legislative Assembly of 1934, when the general principle of the Road Traffic and Taxes Bill were considered, the Dewan stated in his concluding Speech that the Government will not go back on the exemptions sanctioned in 1929. The question therefore for decision now is whether it was the intention in 1929 that all country carts irrespective of their being agricultural or not should be exempt from tolls at interior toll-gates. As stated above, the exemption was specifically given as a measure of relief to agricultural carts. The raison de etre for the exemption is that the agriculturist pays through land revenue his share of the cost of roads and that it would not be fair to subject him to additional tolls, within the limits of the State itself. The retention of frontier tolls on such carts shows that the principle of levying toll when such vehicles are used to convey produce for commercial purposes has been recognised. It does not seem to have been the intention that all carts such as those used by a professional carrier, toddy carts etc., should be exempt from tolls. The A

B 2D

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The intention seems to have been to exempt country carts belonging to agriculturists and used by them for their bona fide purposes. Such as carriage of agricultural produce, implements, etc. If so, the present rules exempting "Bona fide agricultural bullock carts" from tolls at interior toll-gates seem to interpret the intention correctly. In some respects, the exemptions now granted under the new Rules, have extended the scope of the old exemptions. Prior to the new rules, the exemptions from tolls applied at all interior provincial toll-gates and at interior District Board toll-gates of all Districts except those of Chitaldrug, Kadur, Shimoga Now the exemption applies at <u>all</u> interior toll-gates, including the three Districts.

68) The use of the expression "bona fide agricultural bullock carts" has led to some confusion and the Revenue Commissioner and the Deputy Commissioners have been asking for the exact interpretation of it. If approved they may be informed that the expression covers bullock carts belonging to agriculturists and used by them for the carriage of manure or substance used as manure, agricultural implements, seeds, agricultural produce etc This will exclude such carts when they carry timber, stones, bricks, firewood, toddy, general merchandise etc. There will be some difficulty in working this. The

P.W.D [illegible]

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27)

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P

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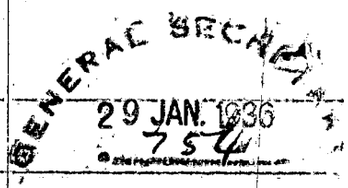

The fact of their being carts belonging to agriculturists may be established by a certificate from the Chairman of the Panchayet of the village in which the Ryot resides. The existing rules have required such a proof all along in case of frontier gates.

69) It is possible that the expression "bona fide agricultural carts" might have been interpreted to mean, in some cases, carts used only for bona fide agricultural purposes ~~at the time of sales~~ and that some contractors might have bid on this understanding at the sale. In such cases, the Deputy Commissioners may either arrange re-auction or make suitable arrangements with contractors.

70) (Irish Member) Munro Genl. Secretary 29/1/ A.R

71) Unless the phrase was explained to bidders in a different sense from that now going to be placed on it there would be no question of resale.

72) What meaning is to be placed on the exemption previously granted is for consideration and orders. The intention seems to have been to exempt really agricultural carts. The wording however seems to have meant more. Whether in all the districts all bullock

Serial No.

carts except those carrying timber were free from toll at the gates which came under the order is not certain. It may be worth while verifying this & the position in regard to this exemption is to be examined again if an ruling is given on the orders as already passed this will not be necessary.

(3) The best course will be to say that not being mentioned in the notification carts carrying timber or other articles for hire should pay toll - and that other country carts belonging to agriculturists will be exempt.

DMW
30/1/36

For Please put up on 10/2/36
DMW
7/2

(4) The matter was discussed at the Traffic Bd meeting also yesterday. An Std. magazine stating that the phrase 'bona fide agricultural carts seem to have been interpreted differently in different places. What is meant is that all carts belonging to agriculturists or not carrying agricl. produce will be exempt from toll. Carts carrying stone, timber will not be exempt.

This was agreed at the meeting

JPR
2/2

NOTE.—Contn. Sheet.

WD 6594—GPB—30,000—18-7-35

29) Interpretation of the expression "bona-fide agricultural bullock carts" 4450

2525305.0 √4 √4403 √4450 √4575

File No. of 193

General and Revenue Secretariat

75) Draft G.O. approved by Member is resubmitted for perusal before issue.

Genl. Secy. 76) For perusal before issue 27/2

Secd. Member 27/2

OFFICE OF THE SECOND MEMBER OF COUNCIL. 27 FEB. 1936 No. 6587

77) Issue

28/2

78) Issue. Copies should be sent to RC and to all DCs. Spare copies must be obtained from the Press and sent to DCs.

29/2

Issued no. P. 5819-29 & 29.2/2.3 1936 to the compiler Rev. Comr., D.C. of Dists. and Comptroller defining the term Bona fide Agricultural carts.

79) Send for perusal.

The file may be closed now.

B. 3/2/36.

3/2/36

80) 28/3/36

Appendix F G—1]

SUBJECT.....

.....

.....

Section Legis

File No. 46 – 35

Serial No. 1

Diary No. of letter replied to.....

~~No.~~ Notification

~~To~~

Nos. P. 3/54 dt 11.11.35

General and Revenue Secretariat

( )

the *193* .

Date of issue.....

Signed by .....

The following draft rules relating to the levy of tolls on State Fund and Dist. Fund Roads and Bridges which the Govt propose to make in exercise of the powers conferred upon them by Sections 14, 20 and 21 of the Nilgiris Road Traffic & Taxes Regulation No VI of 1935 are hereby published for the information of the persons likely to be affected thereby, and notice is hereby given that the said draft will be taken into consideration on or after the 22 Nov. 1935, and that any suggestions or objections which may be receiv

List of enclosures.....

Copied by .....

Examined by.....

WD 03601—GPB—30,000—23-9-35

from any person with respect
to the said draft before the date
aforesaid will be considered by Gove-
(Here enter the (letter) (matter) referred)

for Secy to Govt
Gen. Department.

To the Compiler mysore Gaz for publishing in the part IV-00
next issue of the Gazette and for ~~sending 26~~ Spl
~~Copies~~ direct ~~to the Secs. of Districts & Sub Regr and~~
Supplying 50 printed copies to this office on the 13th
instant

Dated 14-11-35

NOTIFICATION.

No. 3154—Legis. 46-35-1, dated Bangalore, 11th November 1935.

The following draft rules relating to the levy of tolls on State Fund and District Fund Roads and Bridges which the Government propose to make in exercise of the powers conferred upon them by Sections 14, 20 and 21 of the Mysore Road Traffic and Taxes Regulation No. VI of 1935 are hereby published for the information of persons likely to be affected thereby, and notice is hereby given that the said draft will be taken into consideration on or after the 22nd November 1935, and that any suggestions or objections which may be received from any person with respect to the said draft before the date aforesaid will be considered by Government.

By Order,

M. VENKATESA IYENGAR,
Secretary to Government,
General Department.

Rules Relating to the Levy of Tolls on State Fund and District Fund Roads and Bridges.

1. The collection of tolls may be made by such officers of Government as may be appointed for the purpose or by such other person as may be selected by Government in such manner as they deem fit.

2. A table showing in English and Kannada the tolls authorised to be levied shall be put up in a conspicuous place near the toll-gate.

3. At every toll-bar, gate or station, there shall be issued to the person paying the toll a proper receipt showing the date and hour of payment of toll.

4. No more than one toll shall be levied at any one toll-bar, gate or station in respect of any vehicle in any one period of 24 hours.

5. No toll shall be levied at a frontier toll-gate in Mysore on any vehicle passing the gate, if within a period of 24 hours, a toll has been collected thereon at a British toll-gate in respect of which reciprocity has been obtained in consultation with the British Authorities.

Rules for the General Composition of Tolls.

6. Any person may, in respect of the classes of motor vehicles specified below, compound for all tolls other than those specified in rule 12 below, by the payment of a composition fee at rates prescribed by the Government from time to time :—

(i) Motor Cycles.
(ii) Motor Cars.
(iii) Motor Cabs.

7. The composition shall be for periods of a quarter or of an year.

8. Any person may compound for any number of vehicles owned by him or in his charge.

9. Any person desirous of compounding for tolls shall present to the officers empowered in this behalf, an application in the prescribed form giving particulars of the vehicle in respect of which and the period for which he wishes to compound.

10. The said officer, shall, on receipt of the composition fee, fixed by Government, issue to the person the appropriate token.

11. This token shall be in the form fixed by Government from time to time and shall show in a prominent manner, the quarter or the year for which it is current.

12. The vehicle shall, on production of the token by the owner or the person in charge thereof, be exempt from tolls levied by the Government or a Municipal Council at all toll-gates other than those specified below, namely :

(i) Toll-gates established on roads and bridges specified in Schedule V of the Road Traffic and Taxes Regulation.

(ii) Toll-gates to be established on roads or bridges to be constructed after the Regulation comes to force for the recovery of the capital spent on such roads or bridges, *vide* Section 20 of the Road Traffic and Taxes Regulation.

13. In the absence of this token, the vehicle shall, unless otherwise exempted under these rules, be subject to tolls. Tolls so recovered shall not be liable to refund on the presentation of the token later.

14. The composition applies only in respect of the vehicle specified in the token.

Rules for the Composition of Tolls in Respect of a Single Toll-Bar.

15. *Rules applicable to all Classes of Vehicles.*— The composition allowed shall not apply in respect of the following toll-bars, *viz*:—

(i) Frontier toll-bars.
(ii) The toll-bar on the Dam across the Cauvery at Krishnarajasagara.
(iii) Toll-bars which may be established after the Regulation comes to force and which the Government may, by notification, exclude from the operation of this rule.

16. The composition of tolls shall apply only in respect of the classes of vehicles specified in Section 21 of the Road Traffic and Taxes Regulation and subject to the conditions specified therein.

17. The composition fee is annual and shall be paid for the official year and in advance. The same rates as for the whole year shall be paid even for parts of the official year.

18. No refund of the composition fee or part thereof shall be granted if the vehicle in respect of which the fee is paid ceases to be in use during the whole or any part of the year or the quarter as the case may be.

19. Each exemption has reference to the particular vehicle at the toll-bar specified therein and shall not be used in respect of any other vehicle.

20. *Rules applicable to Motor Vehicles.*—Every person intending to compound for tolls in respect of a motor cycle, a motor car or a motor bus at any single toll-bar at which such composition is allowed shall present

a written application in the form prescribed, and shall, on payment of the fee fixed, obtain a token from the officer concerned.

21. Such token shall always be available for inspection at the toll-gate concerned. In the absence of this token, it shall be open to the authorities of the toll-gate to levy and collect the prescribed tolls on the vehicle. Toll so recovered shall not be liable to refund on the presentation of the token of composition later.

22. *Rules Applicable to Carts drawn by a Single Bullock or two Bullocks.*—Every person who wishes to compound for tolls in respect of his bullock-cart at any one toll-gate, at which such composition is allowed, shall present a written application in the form prescribed for the purpose to the Amildar of the Taluk or the Deputy Commissioner of the District, as the case may be. He shall further produce the vehicle before the said officer.

23. On collection of the necessary composition fee, the said officer shall have the distinctive mark prescribed for the purpose impressed on the cart with a stamping hammer, in such manner as is fixed in Rule 24 below. He shall also issue a token specifying the gate at which and the year for which the token is in force.

24. The mark prescribed in the foregoing rule shall be impressed on the yoke-rod in front of the cart prominently so that it can be easily seen at the toll-gate.

25. The token shall be produced at the toll-gate concerned. In the absence of the token, it shall be open to the authorities at the gate to levy tolls on the vehicle. Toll so recovered shall not be liable to refund on the presentation of the token or license of composition later.

26. The authorities of the toll-gate shall examine both the token and the mark stamped on the vehicle and satisfy themselves that no toll is due before allowing the cart to pass without tolls.

Printed by the Superintendent at the Government Press, Bangalore.

RULES FOR THE COMPOSITION OF TOLLS IN RESPECT OF A SINGLE TOLL-BAR.

I. Rules applicable to all classes of vehicles:-

1. The composition allowed shall not apply in respect of the following toll-bars, viz.,

(i) All frontier toll-bars declared as such by the Government and notified in the official Gazette.

(ii) The toll-bar on the Dam across the Cauvery at Krishnarajasagara, ~~The system shall not also apply in respect of~~ such toll-bars ~~which~~ as may be established after the Regulation comes into force and the Government may, by notification, exclude from the operation of this rule.

2. The composition of tolls shall apply only in respect of the classes of vehicles specified in Section 21 of the Road Traffic and Taxes Regulation.

3. The composition fee is annual and shall be paid for the official year and in advance. The same rates as for the whole year shall be paid even for parts of the official year.

4. No refund of the composition fee or part thereof shall be granted if the vehicle in respect of which the fee is paid ceases to be in use during the whole or the part of the year.

5. The license ~~refers to~~ is for the particular vehicle at the toll-bar specified therein and shall not be used in respect of any other vehicle.

II. Rules applicable to motor vehicles:-

6. Every person intending to compound for tolls in respect of a motor cycle, a motor car, or a motor bus, at any single toll-bar at which such composition is -- allowed, shall present a written application in the form prescribed, and shall on payment of the prescribed fee obtain a license from the officer concerned ~~and shall on payment of the fee fixed~~.

7. Such licenses ~~shall be carried always on the vehicle and~~ shall always be available for inspection at the toll-gate ~~concerned~~. In the absence of this license, it shall be open to ~~the authorities of~~ Men in Charge of the toll-gate to levy and collect the prescribed tolls on the vehicles.

III. Rules applicable to carts drawn by a single bullock of two bullocks:-

8. Every person who wishes to compound for tolls in respect of his bullock-cart at any one toll-gate, at which such composition is allowed, shall present a written application in the form prescribed for the purpose to the Amildar or the -- Deputy Commissioner of the District, as the case may be. He shall further produce

the vehicle before the said officer.

9. On collection of the necessary composition fee, the said officer shall have the distinctive mark prescribed for the purpose impressed on the cart ~~with a stamping manner,~~ in ~~such~~ the manner laid down ~~as is fixed~~ in rule 10 below. He shall also issue a license specifying the gate at which and the year for which the license ~~is~~ will be in force.

10. The mark prescribed in the foregoing rule shall be impressed on the yoke-rod in front of the cart prominently so that it ~~is open to inspection~~ can be easily seen at the toll-gate.

11. The license shall be produced at the toll-gate concerned. In the absence of the license, it shall be open at the gate to the authorities/to levy tolls on the vehicle.

12. The authorities of the toll-gate shall examine both the license and the mark stamped on the vehicle and satisfy themselves that no toll is due before allowing the cart to pass without tolls.

TOLLS: Levy of relating to Tolls on State Hy. Bdrs

Rules ~~for the levy of~~:- on bridges

1. A table of authorised tolls in English and Kannada shall be put up in a conspicuous place near the toll-gate.

2. At every toll-bar, gate or station there shall be issued to the person paying the toll a proper receipt showing the date and hour of payment of toll.

3. No more than one toll shall be levied at any one toll-bar, gate or station in respect of any vehicle in any one period of 24 hours.

4. No toll shall be levied at a frontier toll-gate in Mysore on any vehicle passing the gate, if within a period of 24 hours, a toll has been collected thereon at a British toll-gate in respect of which reciprocity has been obtained in consultation with the British Authorities.

5. Carts laden with manure or other substance used as manure shall be exempt from payment of toll at all ~~the~~ interior toll-gates and shall pay at the rate prescribed for unladen carts at ~~all~~ frontier toll-gates;

provided that no toll shall be levied on carts belonging to agriculturists residing within five miles of the toll-gates when such carts are carrying manure,

implements, seeds, or agricultural produce to and from their fields and when they return unladen.

Note:- Any claim for exemption under this rule shall be supported by a certificate signed by the Patel or Chairman of the Village Panchayet of the village to which the cart belongs.

6. No toll shall be levied on vehicles or animals for which tolls have not been prescribed in the Schedules.

7. No toll shall be levied on the vehicles or animals used for the passage of troops, or military stores, or equipage or of police officers in uniform on duty or of any person or property in their custody or of any property bona fide belonging to any Department of the Government or the Palace, the proof of which should be established by the production of a pass or certificate from the head of the Department to which the property or the vehicle belongs or such other officer as is duly authorised in this behalf by the Deputy Commissioner or by the Board to grant such certificates or passes. Such pass or certificate should be delivered up at the last toll-gate passed by the vehicle conveying such property before it reaches the destination noted in such pass or certificate.

Note 1.- The exemption in question applies to Government property, whether transported in hired vehicles or in vehicles belonging to Government.

Note 2.- The exemption from payment of toll ~~is only in respect of~~ applies only to such vehicles when they convey Government materials. Vehicles when returning empty after delivery of the materials or going to fetch such materials, are liable to pay toll.

Note 3.- The undermentioned heads of Palace Elakhas are authorised to issue passes for the passage of Palace property toll-free at ~~District Fund~~ all toll. Gates.

(1) The Officer in charge of the Palace Garage.

(2) The Officer in charge of the Palace Stables.

(3) The Palace Engineer.

(4) The Mokhtesar, Palace Estates.

(5) The Mokhtesar, Khas Sankha.

(6) The Munib, Motikhane.

(7) The Inspector, Gajasala.

(8) The Superintendent, Government House for the free passage of vehicles belonging to Government House.

(9) The Mokhtesar, Palace Gardens, Mysore.

(10) The Subedar, Paraskhana Department, Mysore.

Note 4.- The Superintendent, Government House is authorised to issue passes for the free passage of vehicles and property belonging to the Government House.

8. No toll shall be levied at any toll-gate for the passage of vehicles etc. if they belong to a Local Board or Municipal Council, the proof of which is to be established by the production of a certificate signed by the President of such body, or by such other officer as may be authorised by the Board or the Deputy Commissioner.

9. The following classes of vehicles shall be exempt from tolls as specified below:-

I. At all toll-gates.-

(i) Vehicles belonging to His Highness the Maharaja or His Highness the Yuvaraja of Mysore,

(ii) Vehicles belonging to the Hon'ble the British Resident in Mysore and his staff, namely the Secretary to the Resident, the Residency Surgeon and the Personal Assistant to the Resident;

(iii) Vehicles belonging to the Dewan of Mysore;

(iv) Vehicles belonging to the Postal Department or engaged by them exclusively for the carriage of Mails;

(v) Vehicles conveying British or Mysore Military Officers on duty;

To entitle an officer to pass a toll-gate without payment as being "on duty", he must fulfil at least one of the following conditions:-

(i) be travelling in a staff car;
(ii) be wearing uniform,
(iii) to be in possession of toll pass issued by Headquarters, Madras District, or the

Chief Commandant, Mysore State Troops, as the case may be.

Note:- Illustrations of ~~the~~ flags distinguishing ~~the~~ cars of the several British officers are noted hereunder for information:-

(a) The Military Staff cars are usually painted Khaki.

(b) A prefix letter and number, together with a broad arrow mark, are painted in white on a black back ground on all Military Motor Vehicles, usually on both sides of the upper portion of the Bonnet of the car.

The same particulars are also shown at the rear of the vehicle, either on the rear end of the off side rear mudguard or on a plate fixed to the Chassis for that purpose.

(c) The broad arrow mark may precede the prefix letter or be painted above the prefix and number thus

G.8704 or G.8704

(d) The motor cars of the undermentioned officers may be distinguished by flags flown on the Radiator Cap:-

His Excellency the Commander-in-Chief.	Flag--Union Jack.

General Officer Commanding-in-Chief, Southern Command.	Flag--oblong, red, black, red.
Commander, Madras District.	Flag--red, swallow tail.
Commander, Southern Brigade Area.	Flag--blue pennant.

(ix) Vehicles belonging to Heads of Mutts who hold a Rahadari issued by a competent authority;

(vii) Vehicles belonging to Officers and subordinates of the Public Works Department, below the grade of Executive Engineer, who travel on duty within their jurisdiction.

Note:- Any such officer passing a toll-gate on duty shall enter, in a book kept for the purpose, his name, designation and the nature of the duty on which he is travelling if the authorities of the toll-gate so desire.

(xi)(viii) Officers and subordinates of the Trabbe's Board while travelling on duty

(viii) Cars conveying the Raja of Sandur;

(ix) Cars conveying the Raja Saheb of Akkalkote, the Rani Saheb of Akkalkote, (the Raja Saheb's mother) while on tour within the State.

(x) Cars conveying the Raja of Savan[illegible]

(xi) Cars or conveyances used for ambulance purposes.

II. At all toll-gates other than those established on roads and bridges specified in Schedule V of the Road Traffic and Taxes Regulation and on roads and bridges to be

constructed hereafter vide Section 20 of the Regulation.

(i) Motor buses forming ~~part~~ of regular service on the route and holding the necessary permit for the same.

Note:- Motor buses ~~which do not~~ form part of regular services on the road are liable to tolls when they pass the gate on casual or special trips.

(ii) Motor cars, motor cabs and ~~motor~~ cycles ~~which~~ have paid the necessary composition fee in accordance with Section 20 of the Regulation.

Note:- To get the ~~necessary~~ exemtion from tolls the vehicles should ~~carry~~ produce as prescribed by rules the ~~necessary~~ license or disc.

(iii) Motor lorries which hold ~~the~~ a permit for working in the area in which the toll-gate is situated.

Note:- When working outside the area prescribed in the permit, lorries must pay tolls.

III. At all interior toll-gates, that is toll-gates other than ~~those notified as~~ frontier toll-gates :-

(i) Bona fide agricultural bullock carts except those carrying timber ~~or stone~~ for commercial purposes.

(Note:- This does not apply to such interior toll-gates as are specified in Schedule V of the (R?) Regulation or to toll-gates to be established under Section 20 of the Regulation. At such toll-gates the carts are liable to tolls. The word timber referred to above should be constructed as including only logs or sawn timber, and not bamboos, fuel, and cane F.

(ii) Vehicles which have compounded for the payment of tolls at the gate under Section 21 of the [illegible] Regulation.

Note:- The exemption under this clause does not apply to such vehicle when it carries timber. When such vehicle is used for the carriage of timber it must pay the tolls prescribed.

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat,

No. 354 Legis 46-35 Dated, Bangalore, 11th November 1935

Notification.

The following draft rules relating to the levy of tolls on State Fund and District Fund Roads and Bridges which the Government proposes to make in exercise of the powers conferred upon them by sections 14, 20 and 21 of the Mysore Road Traffic and Taxes Regulation No. VI of 1935 are hereby published for the information of the persons likely to be affected thereby, and notice is hereby given that the said draft will be taken into consideration on or after the 22nd November 1935, and that any suggestions or objections which may be received from any persons with respect to the said draft before the date aforesaid will be considered by Government.

(Here enter the typed matter as above)

By Order,

for Secretary to Government,
General Department.

To

The Compiler, Mysore Gazette.

C.D.N.

Rules relating to the levy of tolls on State Fund and District Fund roads and bridges.

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1. The collection of tolls may be made by such officers of Government as may be appointed for the purpose or by such other person ~~(hereinafter called the Contractor)~~ as may be selected by Government in such manner as they deem fit.

2. A table showing in English and Kannada the tolls authorised to be levied shall be put up in a conspicuous place near the toll-gate.

3. At every toll-bar, gate or station there shall be issued to the person paying the toll a proper receipt showing the date and hour of payment of toll.

4. No more than one toll shall be levied at any one toll-bar, gate or station in respect of any vehicle in any one period of 24 hours.

5. No toll shall be levied at a frontier toll-gate in Mysore on any vehicle passing the gate, if within a period of 24 hours, a toll has been collected thereon at a British toll-gate in respect of which reciprocity has been obtained in consultation with the British Authorities.

K. Rules for the general composition of tolls.

6. Any person may, in respect of the classes of motor vehicles specified below compound for all tolls other than those specified in rule 12, below, by the payment of a composition fee at rates prescribed by the Government from time to time;

(i) Motor Cycles.
(ii) Motor Cars.
(iii) Motor Cabs.

7. The composition shall be for periods of a quarter or of an year.

8. Any person may compound for any number of vehicles owned by him or in his charge.

9. Any person desirous of compounding for tolls shall present to the Officers empowered in this behalf an application in the prescribed form giving particulars of the vehicle in respect of which and the period for which he wishes to compound.

10. The said officer, shall, on receipt of the composition fee, fixed by Government, issue to the person the appropriate token.

11. This token shall be in the form fixed by Government from time to time and shall show in a prominent manner, the quarter or the year for which it is current.

12. The vehicle shall, on production of the token by the owner or the person in charge thereof, be exempt from tolls levied by the Government or a Municipal Council at all toll-gates, other than those specified below, namely

(i) Toll-gates established on Roads and Bridges specified in Schedule V of the Road Traffic and Taxes Regulation.

(ii) Toll-gates to be established on roads or bridges to be constructed after the Regulation comes to force for the recovery of the capital spent on such roads or bridges vide Section 20 of the Road Traffic and Taxes Regulation.

13. In the absence of this token, the vehicle shall, unless otherwise exempted under these rules, be subject to tolls. Tolls so recovered shall not be liable to refund on the presentation of the token later.

14. The Composition applies only in respect of the vehicle specified in the token.

RULES FOR THE COMPOSITION OF TOLLS IN RESPECT OF A SINGLE TOLL-BAR.

Rules applicable to all classes of vehicles:-

15. The composition allowed shall not apply in respect of the following toll-bars, viz.,

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(ii) The toll-bar on the Dam across the Cauvery at Krishnarajasagara.

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19. Each exemption has reference to the particular vehicles at the toll-bar specified therein and shall not be claimed in respect of any other vehicle.

Rules applicable to motor vehicles:-

20. Every person intending to compound for tolls in respect of a motor cycle, a motor car or a motor bus at any single toll-bar at which such composition is allowed shall present a written application in the form prescribed, and shall on payment of the fee fixed, obtain a ~~license~~ token from the officer concerned.

21. Such ~~license~~ token shall always be available for inspection at the toll-gate concerned. In the absence of this ~~license~~ token, it shall be open to the authorities of the toll-gate to levy and collect the prescribed tolls on the vehicle. Toll so recovered shall not be liable to refund on the presentation of the ~~license~~ token of composition later.

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22. Every person who wishes to compound for tolls in respect of his bullock-cart at any one toll-gate, at which such composition is allowed, shall present a written application in the form prescribed for the purpose to the Amildar of the Taluk or the Deputy Commissioner of the District, the case may be. He shall further produce the vehicle before the said officer.

23. On collection of the necessary composition fee, the said officer shall have the distinctive mark prescribed for the purpose impressed on the cart with a stamping hammer in such manner as is fixed in rule 24 below. He shall also issue a ~~license~~ token specifying the gate at which and the year for which the ~~license~~ token is in force.

24. The mark prescribed in the foregoing rule shall be impressed on the yoke-rod in front of the cart --

prominently so that it can be easily seen at the toll-gate.

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CLC.12.

The Durbar of HIS HIGHNESS THE MAHARAJA OF MYSORE.

General and Revenue Secretariat,

No. 3154 Dated, Bangalore, 11th November 1935.
Legis 46-35

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(Here enter the typed matter overleaf)

By order,

for Secretary to Government,
General Department.

To

The Compiler, Mysore Gazette.

C.G.P.

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(ii) The toll-bar on the Dam across the Cauvery at Krishnarajasagara.

(iii) Toll-bars which may be established after the Regulation comes to force and which the Government may, by notification exclude from the operation of this rule.

16. The composition of tolls shall apply only in respect of the classes of vehicles specified in Section 21 of the Road Traffic and Taxes Regulation and subject to the conditions specified therein.

17. The composition fee is annual and shall be paid for the official year and in advance. The same rates as for the whole year shall be paid even for parts of the official year.

18. No refund of the composition fee or part thereof shall be granted if the vehicle in respect of which the fee is paid ceases to be in use during the whole or any part of the year or the quarter as the case may be.

19. Each exemption has reference to the particular vehicles at the toll-bar specified therein and shall not be used in respect of any other vehicle.

Rules applicable to motor vehicles:-

20. Every person intending to compound for tolls in respect of a motor cycle, a motor car or a motor bus at any single toll-bar at which such composition is allowed shall present a written application in the form prescribed, and shall on payment of the fee fixed, obtain a ~~license~~ token from the officer concerned.

21. Such ~~license~~ token shall always be available for inspection at the toll-gate concerned. In the absence of this ~~license~~ token, it shall be open to the authorities of the toll-gate to levy and collect the prescribed tolls on the vehicle. Toll so recovered shall not be liable to refund on the presentation of the ~~license~~ token of composition later.

Rules applicable to carts drawn by a single bullock or two bullocks.-

22. Every person who wishes to compound for tolls in respect of his bullock-cart at any one toll-gate, at which such composition is allowed, shall present a written application in the form prescribed for the purpose to the Amildar of the Taluk or the Deputy Commissioner of the District, as the case may be. He shall further produce the vehicle before the said officer.

23. On collection of the necessary composition fee, the said officer shall have the distinctive mark prescribed for the purpose impressed on the cart with a stamping hammer in such manner as is fixed in rule 24 below. He shall also issue a ~~license~~ token specifying the gate at which and the year for which the ~~license~~ token is in force.

24. The mark prescribed in the foregoing rule shall be impressed on the yoke-rod in front of the cart --

prominently so that it can be easily seen at the toll-gate.

25. The ~~licence~~ token shall be produced at the toll-gate concerned. In the absence of the ~~licence~~ token, it shall be open to the authorities at the gate to levy tolls on the vehicle. Toll so recovered shall not be liable to [illegible] on presentation of the token or license or composition later.

26. The authorities of the toll-gate shall examine both the ~~licence~~ token and the mark stamped on the vehicle and satisfy themselves that no toll is so due before allowing the cart to pass without tolls.

D.G.12.

GOVERNMENT OF H.H. HIS HIGHNESS THE MAHARAJA OF MYSORE.

General and Revenue Secretariat.

No. 3154 Dated, Bangalore, 11th November 1935.

Reg. No. 46-37.

NOTIFICATION.

The following draft rules relating to the levy of tolls on State Fund and District Fund Roads and Bridges which the Government proposes to make in exercise of the powers conferred upon them by sections 18, 20 and 21 of the Mysore Road Traffic and Taxes Regulation No. VI of 1935 are hereby published for the information of persons likely to be affected thereby, and notice is hereby given that the said draft will be taken into consideration on or after the 22nd November 1935, and that any suggestions or objections which may be received from any person with respect to the said draft before the date aforesaid will be considered by Government.

(Here enter the typed matter enclosed.)

By order,

for Secretary to Government,
General Department.

The Compiler, Mysore Gazette.

ules relating to the levy of tolls on State Fund and District Fund roads and bridges.

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4. The collection of tolls may be made by such officers of Government as may be appointed for the purpose or by such other person ~~(hereinafter called the contractor)~~, as may be selected by Government in such manner as they may think fit.

A table showing in English and Kannada the tolls authorised to be levied shall be put up in a conspicuous place near the toll-gate.

At every toll-bar, gate or station there shall be issued to the person paying the toll a proper receipt showing the date and hour of payment of toll.

5. No more than one toll shall be levied at any one toll-bar, gate or station in respect of any vehicle in any one period of 24 hours.

6. No toll shall be levied at a frontier toll-gate in respect of any vehicle passing the gate, if within a period of 24 hours, a toll has been collected thereon at a British toll-gate in respect of which reciprocity has been obtained in consultation with the British Authorities.

7. Rules for the general composition of tolls.

8. Any person may, in respect of the classes of motor vehicles specified below compound for all tolls other than those specified in rule 12, below, by the payment of a composition fee at rates prescribed by the Government from time to time;

(i) Motor Cycles.
(ii) Motor Cars.
(iii) Motor Cabs.

7. The composition shall be for periods of a quarter or of an year.

8. Any person may compound for any number of vehicles owned by him or in his charge.

9. Any person desirous of compounding for tolls shall present to the officers empowered in this behalf, an application in the prescribed form giving particulars of the vehicle in respect of which and the period for which he wishes to compound.

10. The said officer, shall, on receipt of the composition fee, fixed by Government, issue to the person the appropriate token.

11. This token shall be in the form fixed by Government from time to time and shall show in a prominent manner, the quarter or the year for which it is current.

12. The vehicle shall, on production of the token the owner or the person in charge thereof, be exempt from tolls levied by the Government or a Municipal Council at all toll-gates, other than those specified below, namely,

(i) Toll-gates established on roads and bridges specified in Schedule V of the Road Traffic and Taxes Regulation,

(ii) Toll-gates to be established on roads or bridges to be constructed after the Regulation comes to force for the recovery of the capital spent on such roads or bridges, vide section 21 of the Road Traffic and Taxes Regulation.

13. In the absence of this token, the vehicle shall, unless otherwise exempted under these rules, be subject to tolls. Tolls so recovered shall not be liable to refund on production/presentation of the token later.

14. The composition applies only in respect of the vehicle specified in the token.

RULES FOR THE COMPOSITION OF TOLLS IN RESPECT OF A SINGLE TOLL-BAR.

Rules applicable to all classes of vehicles:-

15. The composition allowed shall not apply in respect of the following toll-bars, viz.,

(i) Frontier toll-bars ~~declared as such by Government and notified in the Official Gazette~~.

(ii) The toll-bar on the fee across the tauvery at Arichnarajaengara.

(iii) Toll-bars which may be established after the Regulation comes to force and which the Government may, by notification exclude from the operation of this rule.

16. The composition of tolls shall apply only in respect of the classes of vehicles specified in Section 21 of the Road Traffic and Taxes Regulation and subject to the conditions specified therein.

17. The composition fee is annual and shall be paid for the official year and in advance. The same rates as for the whole year shall be paid even for parts of the official year.

18. No refund of the composition fee or part thereof shall be granted if the vehicle in respect of which the fee is paid ceases to be in use during the whole or any part of the year or the quarter as the case may be.

19. Each exemption has reference to the particular vehicles at the toll-bar specified therein and shall not be used in respect of any other vehicle.

Rules applicable to motor vehicles:-

20. Every person intending to compound for tolls in respect of a motor cycle, a motor car or a motor bus at any single toll-bar at which such composition is allowed shall present a written application in the form prescribed, and shall on payment of the fee fixed, obtain a ~~licence~~ token from the officer concerned.

21. Such ~~licence~~ token shall always be available for inspection at the toll-gate concerned. In the absence of this ~~licence~~ token, it shall be open to the authorities of the toll-gate to levy and collect the prescribed tolls on the vehicle. Toll so recovered shall not be liable to refund on the presentation of the ~~licence~~ token of composition later.

Rules applicable to carts drawn by a single bullock or two bullocks.-

22. Every person who wishes to compound for tolls in respect of his bullock-cart at any one toll-gate, at which such composition is allowed, shall present a written application in the form prescribed for the purpose to the Amildar of the Taluk or the Deputy Commissioner of the District, as the case may be. He shall further produce the vehicle before the said officer.

23. On collection of the necessary composition fee, the said officer shall have the distinctive mark prescribed for the purpose impressed on the cart with a stamping [illegible] in such manner as is fixed in rule 24 below. He shall also issue a ~~licence~~ token specifying the rate at which and the year for which the ~~licence~~ token is in force.

24. The mark prescribed in the foregoing rule shall be impressed on the yoke-rod in front of the cart --

prominently so that it can be easily seen at the toll-gate.

token
13. The ~~license~~ shall be produced at the toll-gate concerned. In the absence of the ~~license~~, it shall be open to the authorities at the gate to levy tolls on the vehicle. Tolls so recovered shall not be liable to refund on the presentation of the token or license of composition later

token
14. The authorities of the toll-gate shall examine both the ~~license~~ and the mark stamped on the vehicle and satisfy themselves that no toll is as due before allowing the cart to pass without tolls.

NOTIFICATION.

No. 3154—Legis. 46-35-1, dated Bangalore, 11th November 1935.

The following draft rules relating to the levy of tolls on State Fund and District Fund Roads and Bridges which the Government propose to make in exercise of the powers conferred upon them by Sections 14, 20 and 21 of the Mysore Road Traffic and Taxes Regulation No. VI of 1935 are hereby published for the information of persons likely to be affected thereby, and notice is hereby given that the said draft will be taken into consideration on or after the 22nd November 1935, and that any suggestions or objections which may be received from any person with respect to the said draft before the date aforesaid will be considered by Government.

By Order,

M. VENKATESA IYENGAR,
Secretary to Government,
General Department.

Rules Relating to the Levy of Tolls on State Fund and District Fund Roads and Bridges.

1. The collection of tolls may be made by such officers of Government as may be appointed for the purpose or by such other person as may be selected by Government in such manner as they deem fit.

2. A table showing in English and Kannada the tolls authorised to be levied shall be put up in a conspicuous place near the toll-gate.

3. At every toll-bar, gate or station, there shall be issued to the person paying the toll a proper receipt in a form showing the date and hour of payment of toll.

4. No more than one toll shall be levied at any one toll-bar, gate or station in respect of any vehicle in any one period of 24 hours.

(ii) Toll-gates to be established on roads or bridges to be constructed after the Regulation comes to force for the recovery of the capital spent on such roads or bridges, *vide* Section 20 of the Road Traffic and Taxes Regulation.

13. In the absence of this token, the vehicle shall, unless otherwise exempted under these rules, be subject to tolls. Tolls so recovered shall not be liable to refund on the presentation of the token later.

14. The composition applies only in respect of the vehicle specified in the token.

Rules for the Composition of Tolls in Respect of a Single Toll-Bar.

15. *Rules applicable to all Classes of Vehicles.*— The composition allowed shall not apply in respect of the following toll-bars, *viz*:—

(i) Frontier toll-bars.
(ii) The toll-bar on the Dam across the Cauvery at Krishnarajasagara.
(iii) Toll-bars which may be established after the Regulation comes to force and which the Government may, by notification, exclude from the operation of this rule.

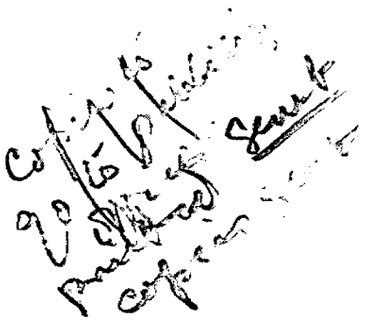
16. The composition of tolls shall apply only in respect of the classes of vehicles specified in Section 21 of the Road Traffic and Taxes Regulation and subject to the conditions specified therein.

17. The composition fee is annual and shall be paid for the official year and in advance. The same rates as for the whole year shall be paid even for parts of the official year.

18. No refund of the composition fee or part thereof shall be granted if the vehicle in respect of which the fee is paid ceases to be in use during the whole or any part of the year or the quarter as the case may be.

19. Each exemption has reference to the particular vehicle at the toll-bar specified therein and shall not be used in respect of any other vehicle.

20. *Rules applicable to Motor Vehicles.*—Every person intending to compound for tolls in respect of a motor cycle, a motor car or a motor bus at any single toll-bar at which such composition is allowed shall present



P. 33.

Legis 46-35-L

Notification.

8 19.11.35

In exercise of powers conferred on them by Section 22 of the Road -- Traffic and Taxes Regulation and in supercession of all previous orders in the matter the Government of His Highness the Maharaja are pleased to exempt, with effect from the 1st of January 1936 the undermentioned vehicles etc., from tolls at toll-gates established under the Regulation on State Fund and District Fund roads and bridges in the manner and to the extent specified below:—

I. <u>At all toll-gates</u>.

(i) Vehicles belonging to His Highness the Maharaja or His Highness the Yuvaraja of Mysore.

(ii) Vehicles belonging to the Hon'ble the British Resident in Mysore and his staff, namely, the Secretary to the Resident, the Residency Surgeon and the Personal Assistant to the Resident.

(iii) Vehicles belonging to the Dewan of Mysore.

(iv) Vehicles belonging to the Postal Department or engaged by them exclusively for the carriage of Mails.

(v) Vehicles or animals used for the passage of troops, military stores or equipage.

(vi) Vehicles conveying British or Mysore Military Officers on duty.

To entitle an officer to pass a toll-gate without payment as being "on duty", he must fulfil at least one of the following conditions:-

(a) be travelling in a staff car;

(b) be wearing uniform;

(c) be in possession of toll pass issued by Headquarters, Madras District or the Chief Commandant, Mysore State Troops, as the case may be.

Note:- Illustrations of flags distinguishing cars of the several -- British officers are noted hereunder for information:-

(a) The Military Staff cars are usually painted Khaki.

(b) A prefix letter and number, together with a broad arrow mark, are painted in white on a black background on all Military Motor Vehicles, usually on both sides of the upper portion of the bonnet of the car.

The same particulars are also shown at the rear of the vehicle, either on the rear end of the off side rear mudguard or on a plate fixed to the chassis for that purpose.

(c) The broad arrow mark may precede the prefix letter or be painted above the prefix and number thus

↑G.8704 or G.8704
↑

(d) The motor cars of the under-mentioned officers may be distinguished by flags flown on the Radiator Cap:-

His Excellency the Commander-in-Chief.	Flag.- Union Jack.

General Officer Commanding-in-Chief, Southern Command.	Flag.- oblong red, black red.
Commander, Madras District.	Flag.- red, swallow tail
Commander, Southern Brigade Area.	Flag.- blue pennant.

(vii) Vehicles or animals used for the passage of police force or police officers in uniform on duty or of any person or property in their custody.

(viii) Vehicles or animals used for the passage of any property bona fide belonging to any Department of the Government or the Palace, the proof of which should be established by the production of a pass or certificate from the head of the Department to which the property or the vehicle belongs or such other officer as is duly authorised in this behalf by the Deputy Commissioner or by the Board to grant such certificates or passes. Such pass or certificate should be delivered up at the last toll-gate passed by the vehicle conveying such property before it reaches the destination noted in such pass or certificate.

Note 1.- The exemption in question applies to Government property, whether transported in hired vehicles or in vehicles belonging to Government.

Note 2.- The exemption from payment of toll applies to such vehicles only when they convey Government -- materials. Vehicles when returning empty after delivery of the materials of going to fetch such materials, are liable to pay toll.

Note 3.- The undermentioned heads of palace Elakhas are authorised, to issue passes for the passage of Palace property toll-free at all toll-gates.

(1) The Officer in charge of the Palace Garage.

(2) The Officer in charge of the Palace Stables.

(3) The Palace Engineer.

(4) The Mokhtesar, Palace Estates.

(5) The Mokhtesar, Khas Samukha.

(6) The Munib, Motikhane.

(7) The Inspector, Gajasala.

(8) The Mokhtesar, Palace Gardens, Mysore.

(9) The Subedar, Paraskhana Department, Mysore.

Note 4.- The Superintendent, Government House is authorised to issue passes for the free passage of vehicles and property belonging to the Government House.

(ix) Vehicles belonging to a Local Board or Municipal Council the proof of which is to be established by the production of a certificate signed by the President of such body, or by such other officer as may be authorised by the Traffic Board or the Deputy -- Commissioner.

(x) Vehicles belonging to Heads of Mutts who hold a Rehadari issued by -- competent authority.

(xi) Vehicles belonging to officers and subordinates of the Public Works Department, below the grade of Executive Engineer, who travel on duty within their jurisdiction.

Note:- Any such officer passing a toll-gate on duty shall, if the -- authorities of the toll-gate so desire, enter in a book kept for the purpose, his name, designation and the nature of the duty on which he is travelling.

(xii) Officers and subordinates of the Traffic Board while travelling on duty.

(xiii) Cars conveying the Raja of Sandur.

(xiv) Cars conveying the Raja Saheb of Akkalkote, the Rani Saheb of --

Akkalkote, (the Raja Saheb's mother) while on tour within the State.

(xv) Cars conveying the Raja of Savanur.

(xvi) Cars or conveyances used for ambulance purposes.

(xvii) Carts belonging to agriculturists residing within five miles of toll-gate shall be free of tolls at that gate when such carts are carrying manure, implements, seeds, or agriucltural produce to and from their fields and when they return unladen.

Note:- Any claim for exemption under this rule shall be supported by a certificate signed by the Patel or Chairman of the Village Panchayet of the village to which the cart belongs.

III. At all interior toll-gates, that is toll-gates other than frontier toll-gates.

(i) Bona fide agricultural bullock carts except those carrying timber for commercial purposes.

Note1- This does not apply to such interior toll-gates as are specified in Schedule V of the Road Traffic and Taxes Regulation or to toll-gates to be established under Section 20 of the said Regulation. At such toll-gates the carts are liable to tolls.

Note 2.- The word timber referre to above should be constructed as including only logs or sawn timber, and not bamboos, fuel, and cane.

(ii) Vehicles which have compounded for the payment of tolls at the gate under Section 21 of the said Regulation.

Note:- The exemption under this clause does not apply to such vehicle when it carries timber. When such vehicle is used for the carriage of timber it must pay the tolls prescribed.

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

No. P. 3317/Legis 46-35-6. General and Revenue Secretariat,

Dated Bangalore, the 19th Novr., 193

NOTIFICATION.

In exercise of powers conferred on them by Section 22 of the Road Traffic and Taxes Regulation and in supersession of all previous orders in the matter, the Government of His Highness the Maharaja are pleased to exempt, with effect from the 1st of January 1936 the undermentioned vehicles etc., from tolls at toll-gates established under the Regulation on State Fund and District Fund roads and bridges in the manner and to the extent specified below:-

I. At all toll-gates.

(i) Vehicles belonging to His Highness the Maharaja or His Highness the Yuvaraja of Mysore.

(ii) Vehicles belonging to the Hon'ble the British Resident in Mysore and his staff, namely, the Secretary to the Resident, the Residency Surgeon and the Personal Assistant to the Resident.

(iii) Vehicles belonging to the Dewan of Mysore.

(iv) Vehicles belonging to the Postal Department or engaged by them exclusively for the carriage of Mails.

(v) Vehicles or animals used for the passage of troops, military stores or equipage.

(vi) Vehicles conveying British or Mysore Military officers on duty.

To entitle an officer to pass a toll-gate without payment as being "on duty", he must fulfil at least one of the following conditions:-

(a) be travelling in a staff car;

(b) be wearing uniform;

(c) be in possession of toll pass issued by Headquarters, Madras District or the Chief Commandant, Mysore State Troops, as the case may be.

Note:- Illustrations of flags distinguishing cars of the several British officers are noted hereunder for information

(a) The Military Staff cars are usually painted Khaki.

(b) A prefix letter and number, together with a broad arrow mark, are painted in white on a black background on all military motor vehicles, usually on both sides of the upper portion of the bonnet of the car.

The same particulars are also shown at the rear of the vehicle, either on the rear end of the off side rear -- mudguard or on a plate fixed to the chassis for that purpose.

(c) The broad arrow mark may precede the prefix letter or be painted above the prefix and number thus

↑G.8704 or ↑
G.8704

(d) The motor cars of the undermentioned officers may be distinguished by flags flown on the Radiator Cap:-

His Excellency the Commander-in-Chief.	..	Flag.- Union Jack.
General Officer Commanding-in-Chief, Southern Command.	..	Flag.- oblong, red, black, red.
Commander, Madras District.	..	Flag.- red, swallow tail.
Commander, Southern Brigade Area.	..	Flag.- blue pennant.

(vii) Vehicles or animals used for the passage of police force or police officers in uniform on duty or of any person

or property in their custody.

(viii) Vehicles or animals used for the passage of any property bona fide belonging to any Department of the Government or the Palace, the proof of which should be established by the production of a pass or certificate from the head of the Department to which the property or the vehicle belongs or such other officer as is duly authorised in this behalf by the Deputy Commissioner or by the Board to grant such certificates or passes. Such pass or certificate should be delivered up at the last toll-gate passed by the vehicle conveying such property before it reaches the destination noted in such pass or certificate.

Note 1.- The exemption in question applies to Government property, whether transported in hired vehicles or in vehicles belonging to Government.

Note 2.- The exemption from payment of toll applies to such vehicles only when they convey Government materials. Vehicles when returning empty after delivery of the materials or going to fetch such materials, are liable to pay toll.

Note 3.- The undermentioned heads of palace Rlakhas are authorised, to issue passes for the passage of Palace property toll-free at all toll-gates.

(1) The Officer in charge of the Palace Garage.
(2) The Officer in charge of the Palace Stables.
(3) The Palace Engineer.
(4) The Mokhtesar, Palace Estates.
(5) The Mokhtesar, Khas Samukha.
(6) The Munib, Motikhane.
(7) The Inspector, Sejassals.
(8) The Mokhtesar, Palace Gardens, Mysore.
(9) The Subedar, Paraskhana Department, Mysore.

Note 4.- The Superintendent, Government House is authorised to issue passes for the free passage of vehicles and property belonging to the Government House.

(ix) Vehicles belonging to a Local Board or Municipal Council the proof of which is to be established by the production of a certificate signed by the President of such body, or by such other officer as may be authorised by the Traffic Board or the Deputy Commissioner.

(x) Vehicles belonging to Heads of Mutts who hold a Mehederi issued by competent authority.

(xi) Vehicles belonging to officers and subordinates of the Public Works Department, below the grade of Executive Engineer, who travel on duty within their jurisdiction.

Note:- Any such officer passing a toll-gate on duty shall, if the authorities of the toll-gate so desire, enter in a book kept for the purpose, his name, designation and the nature of the duty on which he is travelling.

(xii) Officers and subordinates of the Traffic Board while travelling on duty.

(xiii) Cars conveying the Raja of Sandur.

(xiv) Cars conveying the Raja Saheb of Akkalkote, the Rani Saheb of Akkalkote, (the Raja Saheb's mother) while on tour within the State.

(xv) Cars conveying the Raja of Savanur.

(xvi) Cars or conveyances used for ambulance purposes.

(xvii) Carts belonging to agriculturists residing within five miles of toll-gate shall be free of tolls at that gate when such carts are carrying manure, implements, seeds, or agricultural produce to and from their fields and when they return unladen.

Note:- Any claim for exemption under this rule shall be supported by a certificate signed by the Patel or Chairman of the Village Panchayet of the village to which the cart belongs.

II. At all toll-gates other than those established on roads and bridges specified in Schedule V of the Road Traffic and Taxes Regulation and on roads and bridges to be constructed hereafter vide Section 20 of the said Regulation.

(i) Motor buses let or plied for hire on ordinary or short-term permits.

Note:- The motor buses while on use for private purposes are liable to tolls.

(ii) Motor cycles, motor cars, motor cabs, which have paid the necessary composition fee and compounded in accordance with Section 20 of the Regulation.

Note:- To get this exemption from tolls the vehicles should produce as prescribed by rules the license or token prescribed.

(iii) Motor lorries which hold a permit for working in the area in which the toll-gate is situated.

Note 1.- When working outside the area prescribed in the permit, lorries must pay tolls.

2.- This exemption applies to motor lorries at all such toll-gates in the area prescribed in the permit, except those established on roads competing with Railways at which the levy of tolls is specially prescribed by the Board.

III. At all interior toll-gates, that is toll-gates other than frontier toll-gates.

(i) Bona fide agricultural bullock carts except those carrying timber for commercial purposes.

Note 1.-

Note 1.- This does not apply to such interior toll-gates as are specified in Schedule V of the Road Traffic and Taxes Regulation or to toll-gates to be established under section 20 of the said Regulation. At such toll-gates the carts are liable to tolls.

Note 2.- The word timber referred to above should be construed as including only logs or sawn timber, and not bamboos, fuel, and cane.

(ii) Vehicles which have compounded for the payment of tolls at the gate under Section 21 of the said Regulation.

Note:- The exemption under this clause does not apply to such vehicle when it carries timber. When such vehicle is used for the carriage of timber it must pay the tolls prescribed.

By Order,

GENERAL SECRETARY TO GOVERNMENT.

To

The Compiler, Mysore Gazette, for publication in Part IV of the Gazette dated 21st November 1935 and for supplying 25 printed copies each direct to the Inspector General of Police and the Deputy Commissioners of Districts and 250 copies to this office.

G.G.G.9.

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

No. P. 3317/Legis 46-35-6. General and Revenue Secretariat

Dated Bangalore, the 19th Novr., 193

NOTIFICATION.

In exercise of powers conferred on them by Section 22 of the Road Traffic and Taxes Regulation and in supersession of all previous orders in the matter, the Government of His Highness the Maharaja are pleased to exempt, with effect from the 1st of January 1936 the undermentioned vehicles etc., from tolls at toll-gates established under the Regulation on State Fund and District Fund roads and bridges in the manner and to the extent specified below:-

I. At all toll-gates.

(i) Vehicles belonging to His Highness the Maharaja or His Highness the Yuvaraja of Mysore.

(ii) Vehicles belonging to the Hon'ble the British Resident in Mysore and his staff, namely, the Secretary to the Resident, the Residency Surgeon and the Personal Assistant to the Resident.

(iii) Vehicles belonging to the Dewan of Mysore.

(iv) Vehicles belonging to the Postal Department or engaged by them exclusively for the carriage of Mails.

(v) Vehicles or animals used for the passage of troops, military stores or equipage.

(vi) Vehicles conveying British or Mysore Military officers on duty.

To entitle an officer to pass a toll-gate without payment as being "on duty", he must fulfil at least one of the following conditions:-

(a) be travelling in a staff car;

(b) be wearing uniform;

(c) be in possession of toll pass issued by Headquarters, Madras District or the Chief Commandant, Mysore State Troops, as the case may be.

Note:- Illustrations of flags distinguishing cars of the several British officers are noted hereunder for information:

(a) The Military Staff cars are usually painted Khaki.

(b) A prefix letter and number, together with a broad arrow mark, are painted in white on a black background on all Military Motor Vehicles, usually on both sides of the upper portion of the bonnet of the car.

The same particulars are also shown at the rear of the vehicle, either on the rear end of the off side rear -- mudguard or on a plate fixed to the chassis for that purpose.

(c) The broad arrow mark may precede the prefix letter or be painted above the prefix and number thus

↑G.8704 or G.8704

(d) The motor cars of the undermentioned officers may be distinguished by flags flown on the Radiator Cap:-

His Excellency the Commander-in-Chief.	..	Flag.- Union Jack.
General Officer Commanding-in-Chief, Southern Command.	..	Flag.- oblong, red, black, red.
Commander, Madras District.	..	Flag.- red, swallow tail.
Commander, Southern Brigade Area.	..	Flag.- blue pennant.

(vii) Vehicles or animals used for the passage of police force or police officers in uniform on duty or of any person

or property in their custody.

(viii) Vehicles or animals used for the passage of any property bona fide belonging to any Department of the Government or the Palace, the proof of which should be established by the production of a pass or certificate from the head of the Department to which the property or the vehicle belongs or such other officer as is duly authorised in this behalf by the Deputy -- Commissioner or by the Board to grant such certificates or -- passes. Such pass or certificate should be delivered up at the last toll-gate passed by the vehicle conveying such property before it reaches the destination noted in such pass or -- certificate.

Note 1.- The exemption in question applies to Government property, whether transported in hired vehicles or in vehicles belonging to Government.

Note 2.- The exemption from payment of toll applies to such vehicles only when they convey Government materials. Vehicles when returning empty after delivery of the materials or going to fetch such materials, are liable to pay toll.

Note 3.- The undermentioned heads of palace Dlakhas are authorised, to issue passes for the passage of Palace property toll-free at all toll-gates.

(1) The Officer in charge of the Palace Garage.
(2) The Officer in charge of the Palace Stables.
(3) The Palace Engineer.
(4) The Lokhtesar, Palace Estates.
(5) The Lokhtesar, Khas Bemukha.
(6) The Munib, Hotikhare.
(7) The Inspector, Gajasala.
(8) The Lokhtesar, Palace Gardens, Mysore.
(9) The Subedar, Peraakhana Department, Mysore.

Note 4.- The Superintendent, Government House is authorised to issue passes for the free passage of vehicles and property belonging to the Government House.

(ix) Vehicles belonging to a Local Board or Municipal Council the proof of which is to be established by the production of a certificate signed by the President of such body, or by such other officer as may be authorised by the Traffic Board or the Deputy Commissioner.

(x) Vehicles belonging to Heads of Mutts who hold a Rehedari issued by competent authority.

(xi) Vehicles belonging to officers and subordinates of the Public Works Department, below the grade of Executive Engineer, who travel on duty within their jurisdiction.

Note:- Any such officer passing a toll-gate on duty shall, if the authorities of the toll-gate so desire, enter in a book kept for the purpose, his name, designation and the nature of the duty on which he is travelling.

(xii) Officers and subordinates of the Traffic Board while travelling on duty.

(xiii) Cars conveying the Raja of Sandur.

(xiv) Cars conveying the Raja Saheb of Akkalkote, the Rani Saheb of Akkalkote, (the Raja Saheb's mother) while on tour within the State.

(xv) Cars conveying the Raja of Sevanur.

(xvi) Cars or conveyances used for ambulance purposes.

(xvii) Carts belonging to agriculturists residing within five miles of toll-gate shall be free of tolls at that gate when such carts are carrying manure, implements, seeds, or agricultural produce to and from their fields and when they return unladen.

Note:- Any claim for exemption under this rule shall be supported by a certificate signed by the Patel or Chairman of the Village Panchayet of the village to which the cart belongs.

II. At all toll-gates other than those established on roads and bridges specified in Schedule V of the Road Traffic and Taxes Regulation and on roads and bridges to be constructed hereafter vide Section 20 of the said Regulation.

(i) Motor buses let or plied for hire on ordinary or short-term permits.

Note:- The motor buses while on use for private purposes are liable to tolls.

(ii) Motor cycles, motor cars, motor cabs, which have paid the necessary composition fee and compounded in accordance with Section 20 of the Regulation.

Note:- To get this exemption from tolls the vehicles should produce as prescribed by rules the license or token prescribed.

(iii) Motor lorries which hold a permit for working in the area in which the toll-gate is situated.

Note 1.- When working outside the area prescribed in the permit, lorries must pay tolls.

2.- This exemption applies to motor lorries at all such toll-gates in the area prescribed in the permit, except those established on roads competing with Railways at which the levy of tolls is specially prescribed by the Board.

III. At all interior toll-gates, that is toll-gates other than frontier toll-gates.

(i) Bona fide agricultural bullock carts except those carrying timber for commercial purposes.

Note 1.-

Note 1.- This does not apply to such interior toll-gates as are specified in Schedule V of the Road Traffic and Taxes Regulation or to toll-gates to be established under Section 20 of the said Regulation. At such toll-gates the carts are liable to tolls.

Note 2.- The word timber referred to above should be construed as including only logs or sawn timber, and not bamboos, fuel, and cane.

(ii) Vehicles which have compounded for the payment of tolls at the gate under Section 21 of the said Regulation.

Note:- The exemption under this clause does not apply to such vehicle when it carries timber. When such vehicle is used for the carriage of timber it must pay the tolls prescribed.

By Order,

for GENERAL SECRETARY TO GOVERNMENT.

To

The Compiler, Mysore Gazette, for publication in Part IV of the Gazette dated 21st November 1930 and for supplying 25 printed copies each direct to the Inspector General of Police and the Deputy Commissioners of District and 250 copies to this office.

CbG.9.

NOTIFICATION.

No. P.3317—Legis. 46-35-6, dated Bangalore, the 18—19th November 1935.

In exercise of powers conferred on them by Section 22 of the Road Traffic and Taxes Regulation and in supersession of all previous orders in the matter, the Government of His Highness the Maharaja are pleased to exempt, with effect from the 1st January 1936 the undermentioned vehicles, etc., from tolls at toll-gates established under the Regulation on State Fund and District Fund Roads and bridges in the manner and to the extent specified below :—

I. At all toll-gates.—

(i) Vehicles belonging to His Highness the Maharaja or His Highness the Yuvaraja of Mysore.

(ii) Vehicles belonging to the Hon'ble the British Resident in Mysore and his staff, namely, the Secretary to the Resident, the Residency Surgeon and the Personal Assistant to the Resident.

(iii) Vehicles belonging to the Dewan of Mysore.

(iv) Vehicles belonging to the Postal Department or engaged by them exclusively for the carriage of Mails.

(v) Vehicles or animals used for the passage of troops, military stores or equipage.

(vi) Vehicles conveying British or Mysore Military Officers on duty.

To entitle an officer to pass a toll-gate without payment as being "on duty", he must fulfil at least one of the following conditions :—

(*a*) be travelling in a staff car;

(*b*) be wearing uniform;

(*c*) be in possession of toll pass issued by the Headquarters, Madras District or the Chief Commandant, Mysore State Troops, as the case may be.

Note.—Illustrations of flags distinguishing cars of the several British officers are noted hereunder for information :—

(*a*) The Military Staff cars are usually painted Khaki.

(*b*) A prefix letter and number, together with a broad arrow mark, are painted in white on a black background on all Military Motor Vehicles, usually on both sides of the upper portion of the bonnet of the car.

The same particulars are also shown at the rear of the vehicle, either on the rear end of the off-side rear mudguard or on a plate fixed to the chassis for that purpose.

(*c*) The broad arrow mark may precede the prefix letter or be painted above the prefix and number thus

↑ G. 8704 or G. 8704 (with ↑ above)

(*d*) The motor cars of the undermentioned officers may be distinguished by flags flown on the Radiator Cap :—

	Flag.
His Excellency the Commander-in-Chief...	Union Jack.
General Officer Commanding-in-Chief, Southern Command. ...	Oblong, red, black, red.
Commander, Madras District ...	Read swallow tail.
Commander, Southern Brigade Area ...	Blue pennant.

(vii) Vehicles or animals used for the passage of police force or police officers in uniform on duty or of any person or property in their custody.

(viii) Vehicles or animals used for the passage of any property *bona fide* belonging to any Department of the Government or the Palace, the proof of which should be established by the production of a pass or certificate from the head of the Department to which the property or the vehicle belongs or such other officer as is duly authorised in this behalf by the Deputy Commissioner or by the Board to grant such certificates or passes. Such pass or certificate should be delivered up at the last toll-gate passed by the vehicle conveying such property before it reaches the destination noted in such pass or certificate.

Note 1.—The exemption in question applies to Government property whether transported in hired vehicles or in vehicles belonging to Government.

Note 2.—The exemption from payment of toll applies to such vehicles only when they convey Government materials. Vehicles when returning empty after delivery of the materials or going to fetch such materials, are liable to pay toll.

Note 3.—The undermentioned heads of Palace Elakhas are authorised to issue passes for the passage of Palace property toll-free at all toll-gates.

(1) The Officer in charge of the Palace Garage.
(2) The Officer in charge of the Palace Stables.
(3) The Palace Engineer.
(4) The Mokhtesar, Palace Estates.
(5) The Mokhtesar, Khas Samukha.
(6) The Munib, Motikhane.
(7) The Inspector, Gajasala.
(8) The Mokhtesar, Palace Gardens, Mysore.
(9) The Subedar, Faraskhana Department, Mysore.

Note 4.—The Superintendent, Government House, is authorised to issue passes for the free passage of vehicles and property belonging to the Government House.

(ix) Vehicles belonging to a Local Board or Municipal Council the proof of which is to be established by the production of a certificate signed by the President of such body, or by such other officer as may be authorised by the Traffic Board or the Deputy Commissioner.

(x) Vehicles belonging to Heads of Mutts who hold a Rahadari issued by competent authority.

(xi) Vehicles belonging to officers and subordinates of the Public Works Department, below the grade of Executive Engineer, who travel on duty within their jurisdiction.

Note.—Any such officer passing a toll-gate on duty shall, if the authorities of the toll-gate so desire, enter in a book kept for the purpose, his name, designation and the nature of the duty on which he is travelling.

(xii) Officers and subordinates of the Traffic Board while travelling on duty.

(xiii) Cars conveying the Raja of Sandur.

(xiv) Cars conveying the Raja Saheb of Akkalkote, the Rani Saheb of Akkalkote, (the Raja Saheb's mother) while on tour within the State.

(xv) Cars conveying the Raja of Savanur.

(xvi) Cars or conveyances used for ambulance purposes.

(xvii) Carts belonging to agriculturists residing within five miles of toll-gate shall be free of tolls at that gate when such carts are carrying manure, implements, seeds, or agricultural produce to and from their fields and when they return unladen.

Note.—Any claim for exemption under this rule shall be supported by a certificate signed by the Patel or Chairman of the Village Panchayet of the village to which the cart belongs.

II. At all toll-gates other than those established on roads and bridges specified in Schedule V of the Road Traffic and Taxes Regulation and on roads and bridges to be constructed hereafter, *vide* Section 20 of the said Regulation.

(i) Motor buses let or plied for hire on ordinary or short term permits.

Note.—The motor buses while on use for private purposes are liable to tolls.

(ii) Motor cycles, motor cars, motor cabs which have paid the necessary composition fee and compounded in accordance with Section 20 of the Regulation.

Note.—To get this exemption from tolls the vehicles should produce as prescribed by rules the license or token prescribed.

(iii) Motor lorries which hold a permit for working in the area in which the toll-gate is situated.

Note.—(1) When working outside the area prescribed in the permit, lorries must pay tolls.

(2) This exemption applies to motor lorries at all such toll-gates in the area prescribed in the permit except those established on roads competing with Railways at which the levy of tolls is specially prescribed by the Board.

III. At all interior toll-gates, that is toll-gates other than frontier toll-gates.

(i) *Bona fide* agricultural bullock-carts except those carrying timber for commercial purposes.

Note 1.—This does not apply to such interior toll-gates as are specified in Schedule V of the Road Traffic and Taxes Regulation or to toll-gates to be established under Section 20 of the said Regulation. At such toll-gates the carts are liable to tolls.

Note 2.—The word timber referred to above should be construed as including only logs or sawn timber, and not bamboos, fuel, and cane.

(ii) Vehicles which have compounded for the payment of tolls at the gate under Section 21 of the said Regulation.

Note.—The exemption under this clause does not apply to such vehicle when it carries timber. When such vehicle is used for the carriage of timber it must pay the tolls prescribed.

By Order,

M. VENKATESA IYENGAR,

Secretary to Government,

General Department.

Printed by the Superintendent at the Government Press, Bangalore.

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I. At all toll-gates.—

(i) Vehicles belonging to His Highness the Maharaja or His Highness the Yuvaraja of Mysore.

(ii) Vehicles belonging to the Hon'ble the British Resident in Mysore and his staff, namely, the Secretary to the Resident, the Residency Surgeon and the Personal Assistant to the Resident.

(iii) Vehicles belonging to the Dewan of Mysore.

(iv) Vehicles belonging to the Postal Department or engaged by them exclusively for the carriage of Mails.

(v) Vehicles or animals used for the passage of troops, military stores or equipage.

(vi) Vehicles conveying British or Mysore Military Officers on duty.

To entitle an officer to pass a toll-gate without payment as being "on duty", he must fulfil at least one of the following conditions :—

(*a*) be travelling in a staff car ;

(*b*) be wearing uniform ;

(*c*) be in possession of toll pass issued by the Headquarters, Madras District or the Chief Commandant, Mysore State Troops, as the case may be.

Note.—Illustrations of flags distinguishing cars of the several British officers are noted hereunder for information :—

(*a*) The Military Staff cars are usually painted Khaki.

(*b*) A prefix letter and number, together with a broad arrow mark, are painted in white on a black background on all Military Motor Vehicles, usually on both sides of the upper portion of the bonnet of the car.

The same particulars are also shown at the rear of the vehicle, either on the rear end of the off-side rear mudguard or on a plate fixed to the chassis for that purpose.

(*c*) The broad arrow mark may precede the prefix letter or be painted above the prefix and number thus

↑G. 8704 or G. 8704 ↑

(*d*) The motor cars of the undermentioned officers may be distinguished by flags flown on the Radiator Cap :—

	Flag.
His Excellency the Commander-in-Chief...	Union Jack.
General Officer Commanding-in-Chief, Southern Command. ...	Oblong, red, black, red.
Commander, Madras District ...	Read swallow tail.
Commander, Southern Brigade Area ...	Blue pennant.

(vii) Vehicles or animals used for the passage of police force or police officers in uniform on duty or of any person or property in their custody.

(viii) Vehicles or animals used for the passage of any property *bona fide* belonging to any Department of the Government or the Palace, the proof of which should be established by the production of a pass or certificate from the head of the Department to which the property or the vehicle belongs or such other officer as is duly authorised in this behalf by the Deputy Commissioner or by the Board to grant such certificates or passes. Such pass or certificate should be delivered up at the last toll-gate passed by the vehicle conveying such property before it reaches the destination noted in such pass or certificate.

Note 1.—The exemption in question applies to Government property whether transported in hired vehicles or in vehicles belonging to Government.

Note 2.—The exemption from payment of toll applies to such vehicles only when they convey Government materials. Vehicles when returning empty after delivery of the materials or going to fetch such materials, are liable to pay toll.

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(2) The Officer in charge of the Palace Stables.
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(4) The Mokhtesar, Palace Estates.
(5) The Mokhtesar, Khas Samukha.
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(7) The Inspector, Gajasala.
(8) The Mokhtesar, Palace Gardens, Mysore.
(9) The Subedar, Faraskhana Department, Mysore.

Note 4.—The Superintendent, Government House, is authorised to issue passes for the free passage of vehicles and property belonging to the Government House.

(ix) Vehicles belonging to a Local Board or Municipal Council the proof of which is to be established by the production of a certificate signed by the President of such body, or by such other officer as may be authorised by the Traffic Board or the Deputy Commissioner.

(x) Vehicles belonging to Heads of Mutts who hold a Rahadari issued by competent authority.

(xi) Vehicles belonging to officers and subordinates of the Public Works Department, below the grade of Executive Engineer, who travel on duty within their jurisdiction.

Note.—Any such officer passing a toll-gate on duty shall, if the authorities of the toll-gate so desire, enter in a book kept for the purpose, his name, designation and the nature of the duty on which he is travelling.

(xii) Officers and subordinates of the Traffic Board while travelling on duty.

(xiii) Cars conveying the Raja of Sandur.

(xiv) Cars conveying the Raja Saheb of Akkalkote, the Rani Saheb of Akkalkote, (the Raja Saheb's mother) while on tour within the State.

(xv) Cars conveying the Raja of Savanur.

(xvi) Cars or conveyances used for ambulance purposes.

(xvii) Carts belonging to agriculturists residing within five miles of toll-gate shall be free of tolls at that gate when such carts are carrying manure, implements, seeds, or agricultural produce to and from their fields and when they return unladen.

Note.—Any claim for exemption under this rule shall be supported by a certificate signed by the Patel or Chairman of the Village Panchayet of the village to which the cart belongs.

II. At all toll-gates other than those established on roads and bridges specified in Schedule V of the Road Traffic and Taxes Regulation and on roads and bridges to be constructed hereafter, *vide* Section 20 of the said Regulation.

(i) Motor buses let or plied for hire on ordinary or short term permits.

Note.—The motor buses while on use for private purposes are liable to tolls.

(ii) Motor cycles, motor cars, motor cabs which have paid the necessary composition fee and compounded in accordance with Section 20 of the Regulation.

Note.—To get this exemption from tolls the vehicles should produce as prescribed by rules the license or token prescribed.

(iii) Motor lorries which hold a permit for working in the area in which the toll-gate is situated.

Note.—(1) When working outside the area prescribed in the permit, lorries must pay tolls.

(2) This exemption applies to motor lorries at all such toll-gates in the area prescribed in the permit except those established on roads competing with Railways at which the levy of tolls is specially prescribed by the Board.

III. At all interior toll-gates, that is toll-gates other than frontier toll-gates.

(i) *Bona fide* agricultural bullock-carts except those carrying timber for commercial purposes.

Note 1.—This does not apply to such interior toll-gates as are specified in Schedule V of the Road Traffic and Taxes Regulation or to toll-gates to be established under Section 20 of the said Regulation. At such toll-gates the carts are liable to tolls.

Note 2.—The word timber referred to above should be construed as including only logs or sawn timber, and not bamboos, fuel, and cane.

(ii) Vehicles which have compounded for the payment of tolls at the gate under Section 21 of the said Regulation.

Note.—The exemption under this clause does not apply to such vehicle when it carries timber. When such vehicle is used for the carriage of timber it must pay the tolls prescribed.

By Order,
M. VENKATESA IYENGAR,
Secretary to Government,
General Department.

Printed by the Superintendent at the Government Press, Bangalore.

NOTIFICATION.

No. P. 3443—*Legis.* 46-35, *dated Bangalore,*
27*th November* 1935.

In exercise of the powers conferred upon them under Sections 14, 20 and 21 of the Mysore Road Traffic and Taxes Regulation VI of 1935, the Government of His Highness the Maharaja of Mysore are pleased to issue the following rules, the draft rules in the said behalf having been published with notification No. P. 3154—Legis. 46-35-1, dated the 11th November 1935, at page 405 of Part IV of the *Mysore Gazette*, dated 14th November 1935. These rules will come into effect on and from the 1st of January 1936.

By Order,

M. VENKATESA IYENGAR,
Secretary to Government,
General Department.

Rules Relating to the Levy of Tolls on State Fund and District Fund Roads and Bridges.

1. The collection of tolls may be made by such officers of Government as may be appointed for the purpose or by such other persons as may be selected by Government in such manner as they deem fit.

2. A table showing in English and Kannada the tolls authorised to be levied shall be put up in a conspicuous place near the toll-gate.

3. At every toll-bar, gate or station, there shall be issued to the person paying the toll a receipt in the prescribed form showing the date and hour of payment of toll.

4. No more than one toll shall be levied at any one toll-bar, gate or station in respect of any vehicle in any one period of 24 hours.

5. No toll shall be levied at a frontier toll-gate in Mysore on any vehicle passing the gate, if within a period of 24 hours, a toll has been collected thereon at a British toll-gate in respect of which reciprocity has been obtained in consultation with the British Authorities.

General rules applicable to composition of tolls under Sections 20 and 21 of the Road Traffic and Taxes Regulation.

6. Any person desirous of compounding for tolls shall present to the officers empowered in this behalf, an application in the prescribed form giving particulars of the vehicle in respect of which and the period for which he wishes to compound.

7. The said officer shall, on receipt of the composition fee, fixed by Government, issue to the person the appropriated token.

8. This token shall be in the form fixed by Government from time to time and shall show in a prominent manner, the quarter or the year for which it is current.

9. Such token shall always be available for inspection at the toll-gate concerned. In the absence of this token, it shall be open to the authorities of the toll-gate to levy and collect the prescribed tolls on the vehicle. Toll so recovered shall not be liable to refund on the presentation of the token of composition later.

10. No refund of the composition fee or part thereof shall be granted if the vehicle in respect of which the fee is paid ceases to be in use during the whole or any part of the vear or the quarter as the case may be.

11. Each token has reference to the particular vehicle specified therein and shall not be used in respect of any other vehicle.

Rules for the General Composition of Tolls under Section 20 of the Road Traffic and Taxes Regulation.

12. Any person may, in respect of the classes of motor vehicles specified below, compound for all tolls other than those specified in rule 13 below, by the payment of a composition fee at rates prescribed by the Government from time to time :—

(i) Motor Cycles.
(ii) Motor Cars.
(iii) Motor Cabs.

13. The composition shall be for periods of a quarter or of an vear

14. The vehicle shall, on production of the token by the owner or the person in charge thereof, be exempt from tolls levied by the Government or a Municipal Council at all toll-gates other than those specified below, namely:

(i) Toll-gates established on roads and bridges specified in Schedule V of the Road Traffic and Taxes Regulation.

(ii) Toll-gates to be established on roads or bridges to be constructed after the Regulation comes into force for the recovery of the capital spent on such roads or bridges, *vide* Section 20 of the Road Traffic and Taxes Regulation.

Rules for the Composition of Tolls in Respect of a Single Toll-Bar under Section 21 of the Road Traffic and Taxes Regulation.

15. *Rules applicable to all Classes of Vehicles.*—The composition allowed shall not apply in respect of the following toll-bars, *viz.*:—

(i) Frontier toll-bars.
(ii) The toll-bar on the Dam across the Cauvery at Krishnarajasagara.

16. The composition of tolls shall apply only in respect of the classes of vehicles specified in Section 21 of the Road Traffic and Taxes Regulation and subject to the conditions specified therein.

17. The composition fee is annual and shall be paid for the official year and in advance. The same rates as for the whole year shall be paid even for parts of the official year.

Note.—This rule shall not apply to composition for the half-year commencing with 1st of January 1936. For this period the composition may be effected for the half-year at half the rates fixed for the year.

18. *Rules applicable to Carts drawn by a Single Bullock or two Bullocks.*—Every person who wishes to compound for tolls in respect of his bullock-cart at any one toll-gate, at which such composition is allowed, shall present a written application in the form prescribed for the purpose to the Amildar of the Taluk or the Deputy Commissioner of the District, as the case may be. He shall further produce the vehicle before the said officer.

19. On collection of the necessary composition fee, the said officer shall have the distinctive mark prescribed for the purpose impressed on the cart with a stamping hammer, in such manner as is fixed in Rule 19 below. He shall also issue a token specifying the gate at which and the year for which the token is in force.

20. The mark prescribed in the foregoing rule shall be impressed on the yoke-rod in front of the cart prominently so that it can be easily seen at the toll-gate.

21. The authorities of the toll-gate shall examine both the token and the mark stamped on the vehicle and satisfy themselves that no toll is due before allowing the cart to pass without tolls.

Printed by the Superintendent at the Government Press, Bangalore

NOTIFICATION.

No. P. 3443—*Legis.* 46-35, *dated Bangalore,*
27*th November* 1935.

In exercise of the powers conferred upon them under Sections 14, 20 and 21 of the Mysore Road Traffic and Taxes Regulation VI of 1935, the Government of His Highness the Maharaja of Mysore are pleased to issue the following rules, the draft rules in the said behalf having been published with notification No. P. 3154—Legis. 46-35-1, dated the 11th November 1935, at page 405 of Part IV of the *Mysore Gazette*, dated 14th November 1935. These rules will come into effect on and from the 1st of January 1936.

By Order,

M. VENKATESA IYENGAR,
Secretary to Government,
General Department.

Rules Relating to the Levy of Tolls on State Fund and District Fund Roads and Bridges.

1. The collection of tolls may be made by such officers of Government as may be appointed for the purpose or by such other persons as may be selected by Government in such manner as they deem fit.

2. A table showing in English and Kannada the tolls authorised to be levied shall be put up in a conspicuous place near the toll-gate.

3. At every toll-bar, gate or station, there shall be issued to the person paying the toll a receipt in the prescribed form showing the date and hour of payment of toll.

4. No more than one toll shall be levied at any one toll-bar, gate or station in respect of any vehicle in any one period of 24 hours.

5. No toll shall be levied at a frontier toll-gate in Mysore on any vehicle passing the gate, if within a period of 24 hours, a toll has been collected thereon at a British toll-gate in respect of which reciprocity has been obtained in consultation with the British Authorities.

General rules applicable to composition of tolls under Sections 20 and 21 of the Road Traffic and Taxes Regulation.

6. Any person desirous of compounding for tolls shall present to the officers empowered in this behalf, an application in the prescribed form giving particulars of the vehicle in respect of which and the period for which he wishes to compound.

7. The said officer shall, on receipt of the composition fee, fixed by Government, issue to the person the appropriated token.

8. This token shall be in the form fixed by Government from time to time and shall, show in a prominent manner, the quarter or the year for which it is current.

9. Such token shall always be available for inspection at the toll-gate concerned. In the absence of this token, it shall be open to the authorities of the toll-gate to levy and collect the prescribed tolls on the vehicle. Toll so recovered shall not be liable to refund on the presentation of the token of composition later.

10. No refund of the composition fee or part thereof shall be granted if the vehicle in respect of which the fee is paid ceases to be in use during the whole or any part of the year or the quarter as the case may be.

11. Each token has reference to the particular vehicle specified therein and shall not be used in respect of any other vehicle.

Rules for the General Composition of Tolls under Section 20 of the Road Traffic and Taxes Regulation.

12. Any person may, in respect of the classes of motor vehicles specified below, compound for all tolls other than those specified in rule 13 below, by the payment of a composition fee at rates prescribed by the Government from time to time :—

(i) Motor Cycles.
(ii) Motor Cars.
(iii) Motor Cabs.

13. The composition shall be for periods of a quarter or of an year.

14. The vehicle shall, on production of the token by the owner or the person in charge thereof, be exempt from tolls levied by the Government or a Municipal Council at all toll-gates other than those specified below, namely:

(i) Toll-gates established on roads and bridges specified in Schedule V of the Road Traffic and Taxes Regulation.

(ii) Toll-gates to be established on roads or bridges to be constructed after the Regulation comes into force for the recovery of the capital spent on such roads or bridges, *vide* Section 20 of the Road Traffic and Taxes Regulation.

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(i) Frontier toll-bars.
(ii) The toll-bar on the Dam across the Cauvery at Krishnarajasagara.

16. The composition of tolls shall apply only in respect of the classes of vehicles specified in Section 21 of the Road Traffic and Taxes Regulation and subject to the conditions specified therein.

17. The composition fee is annual and shall be paid for the official year and in advance. The same rates as for the whole year shall be paid even for parts of the official year.

Note.—This rule shall not apply to composition for the half-year commencing with 1st of January 1936. For this period the composition may be effected for the half-year at half the rates fixed for the year.

18. *Rules applicable to Carts drawn by a Single Bullock or two Bullocks.*—Every person who wishes to compound for tolls in respect of his bullock-cart at any one toll-gate, at which such composition is allowed, shall present a written application in the form prescribed for the purpose to the Amildar of the Taluk or the Deputy Commissioner of the District, as the case may be. He shall further produce the vehicle before the said officer.

19. On collection of the necessary composition fee, the said officer shall have the distinctive mark prescribed for the purpose impressed on the cart with a stamping hammer, in such manner as is fixed in Rule 19 below. He shall also issue a token specifying the gate at which and the year for which the token is in force.

20. The mark prescribed in the foregoing rule shall be impressed on the yoke-rod in front of the cart prominently so that it can be easily seen at the toll-gate.

21. The authorities of the toll-gate shall examine both the token and the mark stamped on the vehicle and satisfy themselves that no toll is due before allowing the cart to pass without tolls.

Printed by the Superintendent at the Government Press, Bangalore

Appendix F G –1

SUBJECT..... Notification to be published in Gazette .....

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Section Legis

File No. 46–35

Serial No. 1

Diary No. of letter replied to.....

Notification

P 3443 Encl 4 pages

General and Revenue Secretariat

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To

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Date of issue 27-11-35

In exercise of the powers conferred upon them under Sections 14, 20 and 21 of the Mysore Road Traffic and Taxes Regulation, VI of 1935, the Govt of His Highness the Maharaja of Mysore are pleased to issue the following rules, the draft rules in the said behalf having been published by notification no P 3154-36 Legis 46-35-1 of the 11th November 1935 and published at page 405 of part IV of the Mysore Gazette dated 14th November 1935. These rules will come into effect on and from 1st January 1936.

By order

Signed by M. N. Ranganathaiah

List of enclosures.....

Copied by.....

Examined by.....

To the compiler Mysore Gazette for publication in part IV of Mysore Gazette of 28.11.1935 and for sending 25 printed copies thereof to the D.Cs. of Distts and 25 copies to this office

WD 9399—GPB—20,000—18-9-28

Rules Relating to the Levy of Tolls on State Fund and District Fund Roads and Bridges.

1. The collection of tolls may be made by such officers of Government as may be appointed for the purpose or by such other person as may be selected by Government in such manner as they deem fit.

2. A table showing in English and Kannada the tolls authorised to be levied shall be put up in a conspicuous place near the toll-gate.

3. At every toll-bar, gate or station, there shall be issued to the person paying the toll a ~~proper~~ receipt showing the date and hour of payment of toll.

in the prescribed form

4. No more than one toll shall be levied at any one toll-bar, gate or station in respect of any vehicle in any one period of 24 hours.

5. No toll shall be levied at a frontier toll-gate in Mysore on any vehicle passing the gate, if within a period of 24 hours, a toll has been collected thereon at a British toll-gate in respect of which reciprocity has been obtained in consultation with the British Authorities.

General rules applicable to Composition of tolls under Sections 20 + 21 of the Road Traffic + Trades Regln.

6 ~~9~~. Any person desirous of compounding for tolls shall present to the officers empowered in this behalf, an application in the prescribed form giving particulars of the vehicle in respect of which and the period for which he wishes to compound.

7 ~~10~~. The said officer, shall, on receipt of the composition fee, fixed by Government, issue to the person the appropriate token.

8 ~~11~~. This token shall be in the form fixed by Government from time to time and shall show in a prominent manner, the quarter or the year for which it is current.

9 ~~21~~. Such token shall always be available for inspection at the toll-gate concerned. In the absence of this token, it shall be open to the authorities of the toll-gate to levy and collect the prescribed tolls on the vehicle. Toll so recovered shall not be liable to refund on the presentation of the token of composition later.

10 ~~18~~. No refund of the composition fee or part thereof shall be granted if the vehicle in respect of which the fee is paid ceases to be in use during the whole or any part of the year or the quarter as the case may be.

11 ~~19~~. Each ~~exemption~~ token has reference to the particular vehicle ~~at the toll-bar~~ specified therein and shall not be used in respect of any other vehicle.

except as specified in sub-rule (ii) below.

(ii) In the event of the said vehicle being sold in part payment of or exchanged for another vehicle, the authorities granting the original token may make the old token available for the new vehicle or grant a new token in respect of the new vehicle as the case may be, subject to following conditions;-

(i) The owner of the vehicle shall surrender the token originally granted by the said authorities together with the application for the transfer of the

~~to the new vehicle~~.

(ii) The said officer shall, after satisfying himself of the transfer of the old vehicle by reference to the permission for transfer granted by the Registering Authority, make the necessary change under his signature of the registered number in the token, ~~under his signature~~ if the new vehicle belongs to the same class ~~of vehicle~~ as the old one liable to the same rate of composition fee or to a class different from the old one in respect of which a lower rate of fee is chargeable.

(~~iii~~) If the new vehicle belongs to a class in respect of which a higher rate of Composition fee is leviable, the officer shall collect the difference between the rate chargeable in respect of the new vehicle and the rate charged to the old vehicle for the entire period ~~of the license~~ and issue a new token in respect of the new vehicle, retaining the old token with him. The old token shall be disposed of by the said officer according to the instructions issued in the matter.

Rules for the General Composition of Tolls under section 20 of the Road Traffic & Taxes Regulation

12 ~~12.~~ Any person may, in respect of the classes of motor vehicles specified below, compound for all tolls 13 other than those specified in rule 13 below, by the payment of a composition fee at rates prescribed by the Government from time to time :—

(i) Motor Cycles.
(ii) Motor Cars.
(iii) Motor Cabs.

13 ~~13.~~ The composition shall be for periods of a quarter or of an year.

omit 14 ~~14.~~ Any person may compound for any number of vehicles owned by him or in his charge.

14 ~~13~~ ~~12~~. The vehicle shall, on production of the token by the owner or the person in charge thereof, be exempt from tolls levied by the Government or a Municipal Council at all toll-gates other than those specified below, namely :

(i) Toll-gates established on roads and bridges specified in Schedule V of the Road Traffic and Taxes Regulation.

(ii) Toll-gates to be established on roads or bridges to be constructed after the Regulation comes to force for the recovery of the capital spent on such roads or bridges *vide* Section 20 of the Road Traffic and Taxes Regulation.

Rules for the Composition of Tolls in Respect of a Single Toll-Bar.

15 16 *Rules applicable to all Classes of Vehicles.*— The composition allowed shall not apply in respect of the following toll-bars, *viz*:—

(i) Frontier toll-bars.
(ii) The toll-bar on the Dam across the Cauvery at Krishnarajasagara.
(iii) Toll-bars which may be established after the Rules come to force and which the Government may, by notification, exclude from the operation of these rules.

16 17 The composition of tolls shall apply only in respect of the classes of vehicles specified in Section 21 of the Road Traffic and Taxes Regulation and subject to the conditions specified therein.

17 16 18 The composition fee is annual and shall be paid for the official year and in advance. The same rates as for the whole year shall be paid even for parts of the official year.

Note:- This rule shall not apply to composition for the half-year commencing with 1st of January 1936 and ending with 30th June 1936. For this period the composition may be effected for the half-year at half the rates fixed for the year.

19 18 No refund of the composition fee or part thereof shall be granted if the vehicle in respect of which the fee is paid ceases to be in use during the whole or any part of the year or the quarter as the case may be.

18 20 21 22 *Rules Applicable to Carts drawn by a Single Bullock or two Bullocks.*—Every person who wishes to compound for tolls in respect of his bullock-cart at any one toll-gate, at which such composition is allowed, shall present a written application in the form prescribed for the purpose to the Amildar of the Taluk or the Deputy Commissioner of the District, as the case may be. He shall further produce the vehicle before the said officer.

19 21 20 23. On collection of the necessary composition fee, the said officer shall have the distinctive mark prescribed for the purpose impressed on the cart with a stamping hammer, in such manner as is fixed in Rule 24 below. He shall also issue a token specifying the gate at which and the year for which the token is in force.

20 19 22 24. The mark prescribed in the foregoing rule shall be impressed on the yoke-rod in front of the cart prominently so that it can be easily seen at the toll-gate.

9 23 22 25. The token shall be produced at the toll-gate concerned. In the absence of the token, it shall be open to the authorities at the gate to levy tolls on the vehicle. Toll so recovered shall not be liable to refund on the presentation of the token or license of composition later.

21 20 24 23 26. The authorities of the toll-gate shall examine both the token and the mark stamped on the vehicle and satisfy themselves that no toll is due before allowing the cart to pass without tolls

~~and a new one obtained instead, the old vehicle and the new vehicle should be produced before the officer who originally granted the token for the composition. The said officer after destroying the mark stamped on the old vehicle, stamp the~~

24. In the event of the bullock cart in respect of which the owner has compounded being sold or scrapped during the period of the currency of the token and a new cart acquired ~~one obtained~~ instead, the old vehicle and the new vehicle should be produced before the officer who originally granted the token for the composition. The said officer shall, after destroying the mark stamped on the old vehicle, stamp the mark on the new vehicle in the manner described in rule 20 above. He shall also make an endorsement ~~a remark~~ on the ~~token~~ token or ~~if~~ otherwise issued to the owner of the vehicle making it available for the new cart

3080

Draft

No P. 3998/Legis 46-35 Bangalore, 18th Decr. 1935.

published at page 12 of K.G. Gaz 19.12.35

NOTIFICATION.

In exercise of powers conferred on them under Section 20 of the Road Traffic and Taxes Regulation, and under the Rules issued thereunder vide Notification No. P.3443/Legis.46-35 dated Bangalore, 27th November 1935, the Government of His Highness the Maharaja of Mysore are pleased to notify the following orders regarding the payment of composition fee in lieu of tolls and the grant of tokens to such vehicles:-

(1)(a) Officers appointed as Licensing officers under para (1) of the Mysore Motor vehicle taxes orders issued under Notification No.P.3812/Legis. 46-35 dated 11th Decr. 1935 shall be the officers empowered to collect this composition fee and issue tokens.

(b) These tokens will be bound in books of 25 & 10 each. Each token will bear a serial Number.

(c) ~~(b)~~ These tokens will be bound in triplicate. The top most copy or the token will be on white paper with the quarter or the year printed in red ink across the token. The two lower copies will, in addition, surcharge with the word "duplicate".

(2) Para 3 of the said Mysore Motor vehicle taxes orders regarding the custody and distribution of license books, para 4 regarding licensing officer's duties in regard to license books, para 5 regarding

method of payment of tax shall apply in the case of each tokens and token books also.

(3) Every person desirous of compounding for tolls in respect of his motor vehicle shall present to the officer specified above an application in the form prescribed for the purpose.

(4) The licensing officer shall satisfy himself that the application is complete in every respect and that the vehicle belongs to the class in respect of which the composition is allowed under the rules.

Note:- Under Rule 12 of the rules levying tolls published with Notification No. P.3443/Legis. 46-35 dated 27th Novr. 1935 the following classes of vehicles may compound for tolls under Section 20 of the Regulation.-

(i) Motor cycles
(ii) Motor cars
(iii) Motor cabs.

(5) The composition fee is on the basis of the vehicle in regard to motor cycles and on the basis of unladen weight in regard to motor cars and motor cabs. The licensing officer shall ascertain from the list supplied to him the unladen weight of the vehicle and collect the composition fee due according to the rates prescribed in the Schedule IV-A, under Notification

No. P.3315/Legis. 46-35-2 dated 18th Novr. 1935.

(6) On the collection of the fee due, the officer will issue the token in the form prescribed in Appendix I to this order -- following instructions contained therein. The same procedure as that prescribed to the grant of licenses in para 9 of the said Mysore Motor vehicle taxes orders shall be followed in this case also, except that no record need be made in the certificate of registration.

(7) Para 12 of the said Mysore Motor vehicle taxes orders regarding plus and minus memo of stock of licenses, para 16 regarding the face to be mutilated or imitation licenses will apply to these tokens also. Para 18 of the said Mysore Motor vehicle taxes orders regarding the checking of license will also apply to these tokens.

(8) Composition fee is payable quarterly or for periods of a year. In the latter case, a rebate of 10 per cent on the prescribed rates will be allowed. The system of the annual composition fee will come into force from 1st July 1936.

(9) The tokens shall be produced at toll-gates to get the necessary exemption from tolls. Persons in charge of vehicles are advised to arrange to carry these tokens prominently on the vehicle so that the toll-gate keepers may, as far as possible pass that vehicle without detaining it at the toll-gates.

APPENDIX I.

The token for composition of tolls:-

The token issued for the composition of tolls shall be in the following form:-

Name and address of the person having the possession of the vehicle.

Note:- The circular portion only of the token need be exhibited if the token is carried on the vehicle.

Number means the progressive number of the token.

Registered Number is the registered number of the motor vehicle.

Make:- The name of the vehicle such as Chevrolet, Ford etc.

Class is the item in Schedule IV-A, under which the vehicle falls.

Fees is the toll composition fee.

By order,

CSG: General Secretary to Govt.

Mr. N. MADHAVA RAU, B.A., B.L.,
Member of Council.

PUBLIC OFFICES,

~~Bangalore~~ Camp Mysore, 7th January 1936.

Dear Mr. Rangachar,

Please send me to this camp a copy of the communication which I believe, has been recently issued regarding the interpretation of the expression "bona fide agricultural bullock carts". Notification No.3317/Legis.46-35-6 dated 18/19th November 1935.

Yours sincerely,

N. Madhava Rau

H. Rangachar, Esq., M.A.,
Special Officer, Secretariat,
Bangalore.

D.O. No. C2173/35-6

Mr K. V. ANANTARAMAN, B.A.,
Revenue Commissioner.

4450 Appr P

NEW PUBLIC OFFICES,
Dated Bangalore, 15th Jan. *1936.*

Confidential

Dear Mr. Venkatesa Iyengar,

It has come to my notice that the extent of the exemption given to bullock carts under the Road Traffic and Taxes Regulation and the rules thereunder, has been differently understood in different Districts. The rules themselves are not quite clear.

I invite reference to Government Notification No. P. 3317/Legis. 46-35-6 dated 13/19th November 1935 in which two kinds of exemptions are allowed to bullock carts viz:,

(1) Carts belonging to agriculturists residing within five miles of a toll-gate are exempt from tolls at that gate when carrying manure, implements, seeds, or agricultural produce to and from their fields and when they return unladen.

(2) At all interior toll-gates, Bona fide agricultural bullock-carts except those carrying timber for commercial purposes are exempt.

What is meant by the term " Bona fide agricultural bullock-cart" has not been defined and in the absence of such a definition, there is bound to be considerable difference from place to place in the interpretation of the term. Some might interpret it as referring to bullock-carts belonging to agriculturists, while others might interpret it as carts used for agricultural purposes.

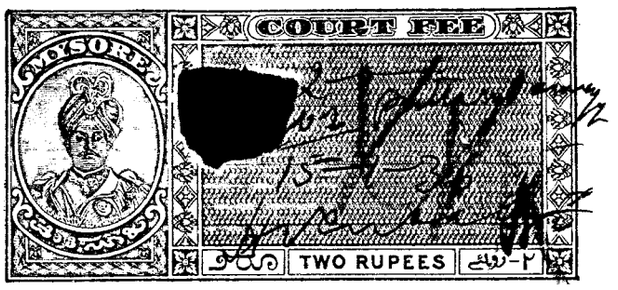
I have today received a petition from the contractor of certain toll gates in Mysore District appealing against the Mysore Deputy Commissioner's order that he should not collect tolls on agricultural bullock-carts (?Sic). I send that petition herewith for perusal and return.

I questioned Mr. H. Rangachar about this matter. He told me that there was no intention to alter the extent of the exemptions which prevailed before the new Regulation was brought into effect. Previous to the passing of the new Regulation, the Standing order in force was that all bullock-carts except those

those that carry timber for commercial purposes, shall be exempt from payment of toll. That rule was definite and clear. If it was the intention of Government that no change should be made, it may be - definitely notified that tolls shall be leviable only on carts carrying timber, and that all other kinds of bullock-carts are exempt from the payment of toll.

Yours sincerely,

M. Venkatesa Iyengar, Esq., M.A.,
General Secretary to Government of Mysore,
Bangalore.



In a writ

15.1.36

IN THE COURT OF THE REVENUE COMMISSIONER IN MYSORE, BANGALORE.

Appellant :- Ameerjan Saheb,
Contractor,
Sahukar and Merchant,
Gundlupet.

The applicant abovenamed most respectfully begs to state as follows : -

1. That the appellant is the purchaser of the right to collect tolls at the state fund - Tollgates at Hosahally, Nanjangud Taluk and Hampapur, Heggadadevankote Taluk during the - Official half year ending 30 th June 1936 by public auction on the 11 th December 1935 for Rs: 755/- and Rs: 420/- per month respectively; and that the sales have been subsequently confirmed and the petitioner has been issued saguvali chit also.

2. That recently the appellant has been served with instructions that he should not collect any toll on any bullock carts other than those carrying timber for commercial purposes as was the custom before.

3. That these instructions are opposed to the terms of the sale notification for the following reasons.

i). That the sale notification NO: D.7. 1688-35 dated 25 th November 1935 exempts in Schedule C, the carts belonging to agriculturists residing within five miles of toll-gates when such carts are carrying manure, seeds, agricultural produce to and from their lands and when they return unladen subject, however, to a production of a certificate signed by the chairman or Patel of the village to which the carts belong. Schedule B of the said sale notification, while prescribing the rates of tolls on - vehicles other than Motor Vehicles at State fund Toll-gates has included Bullock carts at the rate of 4 annas and 2 annas and 1 anna (Vide Serial NO: 13, 14, 15 of Schedule "B"). This Schedule "B" read along with Schedule "C" makes it clear that the purchaser is entitled to collect tolls on bullock carts other than the bonafide agricultural carts as mentioned above. Moreover the present sale notification is different from that of the previous years which specifically exempts all carts except the timber carts.

(ii). That these facts have led the appellant to believe that he had a right to collect tolls on all bullock carts except the bonafide local bullock carts driven - exclusively for agricultural purposes. That the petitioner has purchased the right to collect the tolls at the aforesaid toll-gates under the above bonafide impression.

157/186

impression.

(iii). That if the appellant has to abide by the instructions now given to him i.e. not to collect tolls on any bullock carts except those that carry timber for commercial purposes he would sustain a heavy and irreparable loss and that if he had been appraised of this fact earlier he would not have purchased them for such a high rate.

4. That the appellant had filed an application to the Deputy Commissioner, Mysore District, - setting out all these facts and praying that the appellant be permitted to collect tolls on all bullock carts except those that are exempted under (XVII) of Schedule "C" of the sale notification but he received an endorsement dated 13 th January 1936 (which is herewith appended) to the effect that the appellant's prayer cannot be - granted. It is on that order of the Deputy Commissioner, Mysore District, the appellant abovenamed most respectfully begs to prefer this appeal on the following among other grounds : -

(1). That the Learned Deputy Commissioner erred in relying on the standing orders of the Government to which he makes a reference in his order when the said standing order must be deemed to have been modified by the subsequent sale notification.

(2). That the Learned Deputy Commissioner failed to appreciate the position that the appellant is not bound by the said standing order as he was not aware of it.

(3). That the Learned Deputy Commissioner failed to appreciate the fact ~~that~~ of the bonafide belief that he could collect tolls on all Bullock carts except those that are exempted under (XVII) of Schedule "C" of the sale Notification as could be gathered from the fact that the appellant has purchased them for an exceedingly higher bids than those of the past three years inspite of the fact that at present the busses are exempt from toll.

That therefore the appellant prays that as the appellant bonafide believed that he could collect tolls on all carts except these that are exempt under (XVII) of Schedule "C" of the sale notification, this Honourable Court be pleased to permit him to do so, that the appellant further prays that if this prayer cannot be granted, the appellant be permitted to rescind the contract and that he be kindly ~~be~~ reimbursed for the losses he has incurred so far, in from the 5 th January 1936 as he has been prohibited from collecting tolls on all carts from that date and that he be not held liable for any future loss that might accrue in the event of a resale.

Appellant.

Bangalore.
15-1-1936.

B S Ullaswamy
Advocate for Appellt.
15/1/36.

No. 9-1688/36-

OFFICE OF THE DISTRICT MAGISTRATE,
MYSORE DISTRICT.

Dated, Mysore, 13th January 1936.

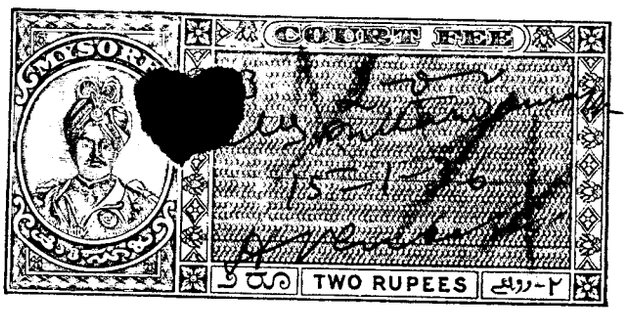
ENDORSEMENT.

With reference to his application presented through Mr. B.S. Puttaswamy, Advocate, Mr. Ameerjan Saheb, Contractor, Hampapur Toll Gate, is informed that all agricultural bullock carts except those carrying timber are exempt from tolls as per standing orders of Government, and he is not entitled to levy tolls on such vehicles and his prayer cannot therefore be granted.

Deputy Commissioner &
District Magistrate,
Mysore District.

Through Mr.B.S.Puttaswami, Advocate.

A.N.



ಬೆಳಗಿನಾಕಾವಲುಂಯು
ರಲಿ ನ್ಯಾಯಾಲಯದಲ್ಲಿ ಕೋರ್ಟಿನಲ್ಲಿ

ಬೆಂಗಳೂರು

1935—1936 ನೇ ನಂಬರು

ವಾದಿ ಯಾ ಅರ್ಜಿದಾರ್ ಪ್ರತಿವಾದಿ ಯಾ ಅಪ್ಪೊನೆಂಟ್

G. R. Amirjan Sahib
for car merchant
Ennolupeth
} Vs {

To Mr B. S. Puttaswamy B.A.B.L.
Advocate

ಬರೆಸಿಕೊಟ್ಟ ವಕಾಲತ್ ನಾಮಾ

ಈ ಮೊಖದ್ದಮೆಯಲ್ಲಿ ತಾವು ನನ್ನ ಪರವಾಗಿ ಅಜೈರುನವರಿಗೂ ಕೋರ್ಟಿನಲ್ಲಿ ವಿವಾದ ನಡೆಸುವುದಕ್ಕೂ ನನ್ನ ಪರವಾಗಿ ಆಗುವ ಎಲ್ಲಾ ವಿಧವಾದ ಆರ್ಡರನ್ನೂ ಡಿಕ್ರಿಯನ್ನೂ ಜಾರೀ ಕ್ರಮ ನಡೆಸಿ ಹಣ ವಸೂಲುಮಾಡಿ ಕೊಳ್ಳುವುದಕ್ಕೂ ನನಗೆ ಕೋರ್ಟಿನಿಂದ ಸಲ್ಲಬೇಕಾಗಿರುವ ಡಿಕ್ರಿ ಮೊಬಲಗು, ಶಿಲ್ಕು ಮೊಬಲಗು, ಪ್ರೋಸೆಸ್ ಸ್ಟಾಂಪು, ದಾವಾಸ್ಟಾಪು ಸಹ ಪಡೆಯಲಿಕ್ಕೂ ದಸ್ತೈವಜು ವಗೈರೆಗಳನ್ನು ವಾಪಸು ಪಡೆಯಲಿಕ್ಕೂ ಮೇಲ್ಕಂಡ ಕೇಸಿನಲ್ಲಿ ರಾಜಿ ವಗೈರೆ ಮಾಡಿಕೊಳ್ಳಲಿಕ್ಕೂ ಮೊಖದ್ದಮೆಯನ್ನು ವಾಪಸ್ ಪಡೆಯಲಿಕ್ಕೂ ಸಹ ತಮಗೆ ಈ ಮೂಲಕ ಸಂಪೂರ್ಣ ಅಧಿಕಾರ ಕೊಟ್ಟಿದ್ದೇನೆ. ಅಲ್ಲದೆ ತಾವಾಗಲಿ ಯಾ ತಮಗೋಸ್ಕರ ಮತ್ಯಾವ ಲಾಯರಾಗಲಿ ಡಿಟೋ ಮೊಖದ್ದಮೆಯಲ್ಲಿ ನಡೆಯಿಸುವ ಎಲ್ಲಾ ಕೆಲಸಗಳನ್ನೂ ನಾನು ಖುದ್ದು ಇದ್ದು ನಡೆಸಿದಂತೆ ಒಪ್ಪಿಕೊಳ್ಳಲು ಬದ್ಧನಾಗಿ ಇರುತ್ತೇನೆ.

ಕಾರೀಖು 15/1/36. } ರುಜು

ಈ ಮೊಕ್ತಾರುನಾಮಾ ಕೊಟ್ಟವರು ನನಗೆ ಪರಿಚಯಸ್ತರಾಗಿ ಸಮಕ್ಷಮ ರುಜು ಮಾಡಿರುತ್ತಾರೆ. }

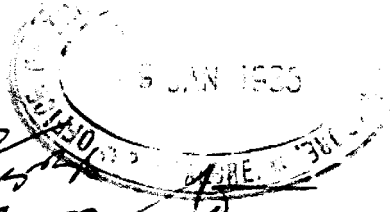
B S Puttaswamy
ಅಡ್ವೊಕೇಟ್ಸ್

15-1-36.

ಈ ಮೊಕ್ತಾರುನಾಮಾ ಅಂಗೀಕರಿಸಿ ಇಧೇನೆ.

B S Puttaswamy
ಅಡ್ವೊಕೇಟ್ಸ್

ವಿ. ಡಿ. ಪ್ರೆಸ್, ಬಿ ಸಿಟಿ.



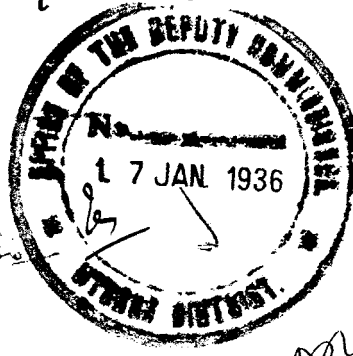
Q 2173

Enclosure

Q 1688/35. 36

Q 18/1/36

To Revenue Commissioner in Mysore, Bangalore



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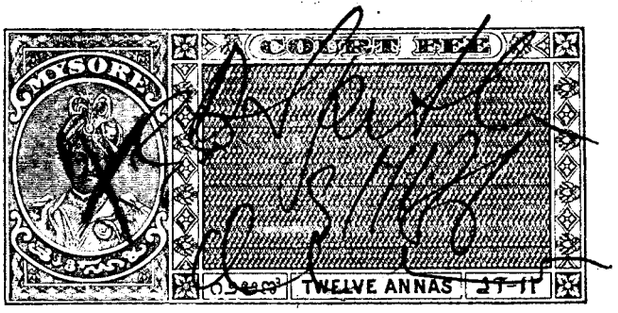

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P 23

Ref. 2594
3-36

Read
BK 14/1/36

IN THE COURT OF THE DEPUTY COMMISSIONER,
MYSORE DISTRICT, MYSORE.

PETITIONER-
Ameerjan Sahib, Sowcar and Merchant, GUNDLAPET.

The petitioner begs to state as follows:-

1) That the petitioner is the purchaser of the right to collect tolls at the State Fund Toll-gates at Hosahally, Nanjangud Taluk and at Hampapur, Heggadadevankote Taluk during the official ~~year~~ half year ending 30th June 1936 by -- public auction on 11th December 1935 for Rs.755 and Rs.420 per month respectively; and that the sales have been subsequently confirmed and the petitioner has been issued saguvali chit also.

2) That recently the petitioner has been served with oral instructions that he should not - collect any toll on any bullock carts other - than those carrying timber for commercial purposes as was the custom before.

3) That these instructions are opposed to the terms of the sale notification for the following reasons- That the sale notification(No.D7. 1688-35 dated 25th November 35 exempts in -- Schedule C. the carts belonging to agriculturists residing within five miles of toll-gates where such carts are carrying manure seeds, or agricultural produce to and from their lands

V

and when they return unladen subject however to a production of a certificate signed by - the chairman or Patel of the village to which the carts belong. Schedule B. of the - said sale Notification while prescribing the rates of tolls on Vehicles other than Motor Vehicles at State Fund Toll-gates have included bullock carts at the rate of four annas, two annas and one anna. Vide (Sl.No.13, 14, and 15 of Schedule B.) This Schedule B read along with Schedule C. makes it clear that the purchaser is entitled to collect tolls on bullock carts other than the bona-fide agricultural carts as mentioned in para of the petition. Moreover the present sale notification is different from that of the previous years which specifically exempts all carts except the timber carts.

4) That these facts have led the petitioner to believe that he had a right to collect tolls on all bullock carts except the bona-fide local bullock carts driven exclusively for agricultural purposes. That the petitioner has purchased the right to collect

BSD

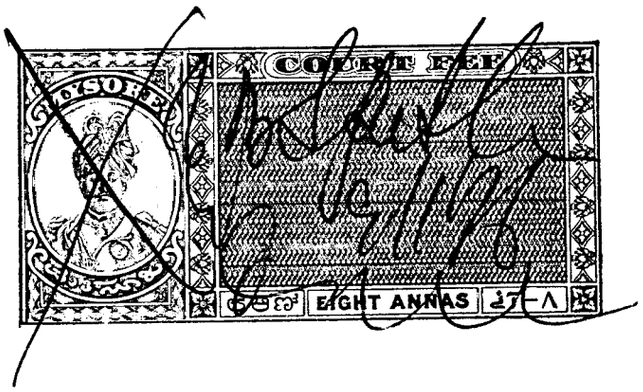
to collect tolls at the afresaid toll-gates -- under the above bonafide impression.

5) That if the petitioner has to abide by the instructions now given to him i.e. not to collect tolls on any bullock cart exeept those that carry timber for commercial purpose he would sustain heavy and irreparable loss and that if ~~xhe~~ he had been appraised of this fact earlier he would not have purchased them ~~for~~ at such a high level.

Under these circumstances the petitioner humbly prays that he may be permitted to collect tolls on all bullock carts except those that are exempted under (XVII) of Schedule C.

T.S. Pullaswamy
Advocate
for the petitioner
7/11/58

1-11-58.



In The Court of the Deputy Commissioner Mysore district, Mysore

CASE NO. **OF 193 —193 .**

PLAINTIFF
PETITIONER
APPELLANT

DEFENDANT
OPPONENT
RESPONDENT

Amijan Sahib of Chamundi. | **VS.**

1. I the petitioner above named do, by these presents retain **Mr. B. S. Puttaswamy,** B.A., B.L., **Mr. M. N. Mahanta Devaru,** M.A., LL.B., Advocates to appear for and conduct the above case on my behalf to Judgment.

2. I further empower them to do all the necessary acts in the above case and to execute any decree, order that may be passed in my behalf and to receive, from the court all documents, refunds, and all sums of money that I may be entitled to get and grant receipts therefor.

3. I also undertake to confirm and ratify all the legal acts done by the said advocates or any other on his behalf in so doing.

26-1-53.
Amijan Sahib

Accepted
B S Puttaswamy
Advocate for
Dated 26.1.53. 193 .

Signed before me and personally known to me
B S Puttaswamy
Dated 193 .

The Mysore Press, Mysore

4403

No. ~~G1~~ D7 /1688/ 35-36
Encl. 2

OFFICE OF THE DISTRICT MAGISTRATE
MYSORE DISTRICT,

Dated, Mysore 13th January ..... *193* 6.

15

From

B.T. Kesavaiengar, Esq., B.A.,
District Magistrate,
Mysore District, Mysore.

To

M. Venkatanaranappa, Esq., B.A.,
Secretary to the Government of Mysore,
Development Department *Bangalore.*

SIR,

I have the honor to forward herewith for favour of information copy of my letter No. ~~D7~~ D7 1688/35-36 dated 13th January 1935 in the matter of levy of toll over bullock carts of agriculturists transporting fuel and agricultural produce etc., for commercial purposes, addressed by me to the Revenue Commissioner and copy of my endorsement referred to therein.

I have the honor to be,

Sir,

Your most obedient servant,

Deputy Commissioner &
District Magistrate,
Mysore District.

A.N.

Submitted for orders.
Other files connected
with this subject is
under submission separately.

No. G1.
Enc.

OFFICE OF THE DISTRICT MAGISTRATE,
MYSORE DISTRICT.

Dated, Mysore, 13th January 1936.

FROM

B. T. Kesavaiengar, Esq., B.A.,

~~DISTRICT~~ DISTRICT MAGISTRATE,
MYSORE DISTRICT, MYSORE.

To

K.V. Anantaraman, Esq., B.A.,

Revenue Commissioner in Mysore,

Bangalore.

SIR,

I have the honor to forward herewith copy of an endorsement issued by me to the Toll-Gate Contractor of Hampapur, Heggadadevankote Taluk, for favour of information, and to state that as per Schedule III of the Notification P 3317/ Legis 46:35:6 dated 25-11-1935 intimating the sale ~~of~~ by auction of the right to collect tolls in the District at the several Toll-gates, Bonafide agricultural bullock carts except those carrying timber for commercial purposes are exempt from payment of tolls at interior toll gates. There seems to have arisen some doubt as regards the exact implication of the term "Bonafide agricultural carts" and the contractor of Hampapur and Sinduvally Toll Gates was levying toll on carts not carrying timber but carrying fuel, bamboos and agricultural produce, for disposal at Mysore. Complaints having been received in the matter, the Amildar, Heggadadevankote Taluk, was instructed to warn the contractor to discontinue the unauthorised levy as the result of which he presented a petition on which the endorsement under reference was issued. The endorsement issued by me is based on Government Order dated 15th June 1929 and also the trend of discussion in this connection both in the Representative Assembly and the Legislative Council. As apparently the contractor offered ~~e~~ high bids in respect of the toll gates taken by him on the strength of the ambiguous wording of Schedule III, which is different from previous notifications in connection with sales held in the past, he has appealed to me to be permitted to withdraw from the contract without incurring any liability. I think there has been room for misunderstanding in this connection and it does not

does not seem to me to be fair to penalise the contractor for a bonafide mistake. I request permission therefore either to cancel his contract and to call for tenders for disposing of the same with effect from 1st February 1936 for a period of five months, or to be intimated whether the interpretation put by the contractor in this connection could be accepted.

I have the honor to be,

Sir,

Your most obedient servant,

Sd/- B.T. Kesavaiengar,

District Magistrate,

Mysore District.

A.N.

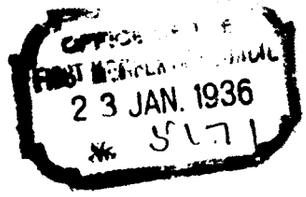
"Copy"

District Magistrate,

Mysore District.

4515 P 35

Before the Ist Member In Council,
Government of Mysore,
Bangalore.



Respected Sir,

As an elected member to Representative Assembly from Sira Taluq I beg to bring the following grievance of the public of Sira Taluq for your kind consideration and redress.

The right to collect the tolls from 1.1.1936 to 30.6.1936 at the District Fund and State roads was sold by public auction and the contract was taken by one Mr. Sivanna of Tumkur.

The contractor is collecting tolls on all double bullock carts though they all belong to Agriculturists.

Sometimes people are forced to pay tolls twice, once at the Municipal Toll-gate and for the 2nd time to the District Board Toll-gate though the distance covered by the carts will not have been more than 5 miles.

The contractor is authorised to collect Tolls on carts carrying timber for commercial purposes and all carts which do not carry timber for trade are exempt from every kind of Toll. That in the whole of Tumkur District there is not even a single Toll-gate coming under the traffic regulation.

Therefore I humbly pray that the Government of His Highness the Maharaja of Mysore be pleased to issue orders to the Deputy Commissioner, Tumkur District soon to see that the Toll-gate contractor does not levy taxes on bullock cart empty or loaded. An endorsement from the Government will highly be obliged.

I beg to rema in,
Respected Sir,
Your most obedient servant,
K. P. Thammaiah Gowda
R. A. Member
Sira T.q.

Bangalore City,
21st January, 1936.

Serial No.

Extract from notes of inspection of the Second Member of Council in the Mysore District for the month of January 1936.

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x x x x x x

Hampapur. (Heggadadevankote Taluk).

A dispute which arose between the toll-gate contractor and certain owners of bullock carts as to the interpretation of the expression "bona-fide agricultural carts" used in the new Rules has been brought to the notice of the First Member and referred to the Department concerned. The Deputy Commissioner is also making a reference in the matter.

x x x x x x

1.2.36 A note has been submitted to the 1st member of Council in this connection. This will be placed in the connected file after its return.

3.2.36

WD 03594—GPB—30,000—18-7-35

App. F. VI, G. 10

Government of his highness the Maharaja of Mysore.

GENERAL AND REVENUE DEPARTMENTS

Bonafide Agricultural bullock carts"

Defines the term"——————————:"

G. O. No. P5819—29 DATED 29.2/2-3 '36

May this be

i. printed ? yes

ii. treated as a standing order ? yes

iii. published in the Gazette, English Part ? part- I

iv. translated ? yes

v. placed at the disposal of the press ? yes

vi. published in the Gazette, Kannada Part ? yes pt I

To for pr. in pt I of Rag dt 5.3.36 and direct The compiler Mysore Rag to print and supply 25 copies to the Rev. Commissioner, 25 copies each to the D.Cs. of Dists and 250 copies to this office

P.S.O.

for Chief Secy

29.2.36

Proceedings of the Government of His Highness the Maharaja of Mysore.

Order No. P 5849 — 29.

Dated, Bangalore 29th Feby. 1936.

2 - 3

It has come to the notice of the Government that the expression "bona-fide agricultural -- bullock carts" occurring in item (i) of para III of Notification No. P.3317/Legis.46-35-6 dated 18/19th December 1935 regarding exemption from payment of tolls has been interpreted differently in different ~~places~~ areas and that consequently the exemption is not being worked uniformly. The Government are, therefore, pleased to ~~declare hereby~~ direct that ~~what was meant was that~~ all bullock carts, whether belonging to agriculturists or not, carrying agricultural produce, manure, and agricultural implements, etc, will be exempt from tolls at the interior toll-gates referred to therein and that this exemption does not apply ~~only~~ to carts carrying stone or timber.

2. The Revenue Commissioner and the Deputy Commissioners are requested to issue necessary instructions for this exemption being worked as explained above.

GENERAL SECRETARY TO GOVT.

To The Compiler Mysore Gaz.
The Rev. Comr in Mysore
D.Cs. of Districts
Comptroller to Govt.

Order No. P5819—29

[illegible], Bangalore, the 24th February 1930.
2—3

It has come to the notice of Government that the exemption from payment of toll on agricultural bullock carts occurring in Item (A) of Part I of Notification No. [illegible] dated 2nd December 1929 regarding exemption from payment of tolls has been interpreted differently in different places and that consequently the exemption is not being given uniformly. Government are, therefore, pleased to direct that all bullock carts, whether belonging to agriculturists or not, carrying agricultural produce, manure, and agricultural implements, etc., will be exempt from tolls at the different toll-stations referred to therein and that this order does not apply to carts carrying stone or timber.

2. The Revenue Commissioner and the Inspector Commissioners are requested to issue necessary instructions for this exemption being correctly examined above.

By Order of the Governor,

[illegible]

The Collector, Mysore District.
The Deputy Commissioner in Mysore.
The Deputy Commissioners of Districts.
The Treasurer of the Government of Mysore.